

the main highways, but Federal assistance did not begin until the recovery program was initiated. The program to date, including roads approved for construction, includes 26,700 miles.

Improvement of extensions of the Federal-aid system through cities and secondary-road construction has been made a permanent part of Federal-aid policy.

In the special program for elimination of hazards at grade crossings authorized in 1935, 1,745 crossings have been eliminated, 328 crossing structures have been reconstructed, and 625 crossings have been protected by safety devices. Additional crossing eliminations are being made under a regular Federal-aid authorization for each of the fiscal years 1938 and 1939. The total program includes over 3,416 crossing eliminations. The rate of improvement has been about twice as great as in the preceding 4 years. Many of the most hazardous crossings, and those in the suburbs of cities that caused great delay to traffic, had previously been passed by because of their large cost. Numerous projects of this kind have been included in the program.

Employment has been the principal objective in all of the work done. In the 5-year period the direct employment given on road jobs has amounted to nearly 9,000,000 man-months.

Under authority of legislation enacted during the past 4 years a complete survey is being undertaken of the condition of all rural highways in 46 States, the use made of the highways and how they are financed. For the first time we will have complete maps of all the rural highways for the major portion of the country. The surveys are intended to make it possible to carry on the greatly broadened highway program on a carefully planned and continuing basis.

X. RESEARCH

The Department continued its long-time research programs to obtain new facts and develop improved methods upon which are based the action programs discussed in the foregoing sections. Benefits arising out of the Department's research accrue to the farmer and the general public alike. The research workers delve into such problems as developing better crops and livestock and controlling plant and animal pests and diseases, but they also investigate the purity of foods and drugs and study weather conditions for the benefit of aviation as well as farmers and the public. Economic data are gathered and disseminated to keep the public informed on prices, trends, production, and other important subjects.

Results of research on numerous subjects were made available during the past year. These results are being applied on the farm and in the home and by Federal agencies of the Department and States which deal with land-use problems.

The Bankhead-Jones Farm Research Act of 1935 set up a special research fund and gave the Secretary of Agriculture authority to establish regional laboratories to conduct research into basic laws and principles relating to agriculture. The first was a soybean laboratory at Urbana, Ill. Research is underway at a regional swine laboratory at Ames, Iowa. Nine laboratories, in all, have been approved but not all as yet are in operation.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER (Mr. MINTON in the chair). The reports will be placed on the Executive Calendar.

POSTMASTER AT LOS ANGELES, CALIF.—NOTIFICATION TO THE PRESIDENT

Mr. McADOO. Yesterday, Mr. President, the Senate confirmed the nomination of Mary D. Briggs to be postmaster at Los Angeles, Calif. I ask unanimous consent that the President may be notified.

The PRESIDING OFFICER. Without objection, the President will be notified of the confirmation of the nomination. The clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

RECESS

The Senate resumed legislative session.

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and the Senate (at 5 o'clock and 17 minutes p. m.) took a recess until tomorrow, Saturday, May 28, 1938, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 27 (legislative day of April 20), 1938

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY

Lt. Col. Warner William Carr to Adjutant General's Department.

Maj. George Andrew Lockhart to Quartermaster Corps.

Capt. Joseph Conrad Odell to Quartermaster Corps.

PROMOTIONS IN THE REGULAR ARMY

John Roy Douglas Matheson to be colonel, Corps of Engineers.

William Gaston Simmons to be lieutenant colonel, Cavalry.

Henry Thomas Kent to be major, Infantry.

POSTMASTERS

COLORADO

Edward H. Applegate, Jr., Lamar.

FLORIDA

Dudley H. Morgan, River Junction.

KENTUCKY

Nathaniel M. Elliott, Corbin.

Dorothy Moore, Morgantown.

Mason E. Burton, Somerset.

NEW HAMPSHIRE

Charles S. Stone, Andover.

Roy T. Hildreth, Bethlehem.

Edward J. Conley, East Kingston.

Hazel J. Hayes, Rye Beach.

PENNSYLVANIA

L. Banks Wetzel, Beaver Springs.

Harry E. Cuppett, Bedford.

Elizabeth D. Birmingham, Blossburg.

Leo Walker, Clairton.

Earle H. Crummy, Dravosburg.

Philip S. McDermott, Duquesne.

Mayme A. Moore, Oakdale.

RHODE ISLAND

Grace B. Almy, Little Compton.

WASHINGTON

Walter W. Lindley, St. John.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 27, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Lord God of the ageless past, we bless Thee that we live today in a united country with one heart and soul. We are grateful for the chivalrous heroes of the past who were inspired to deathless deeds of heroism. Grant, as the memorial days return, sacred to the North and the South, that the tears of the Gray and the tears of the Blue may mingle as they fall upon the dust of their precious dead. May all differences of feelings and all bitterness be buried so deep that they shall never again be resurrected. Graciously bless our whole land. May there be no North, no South, no East, no

West, and no past in the grip of a dead hand, but an enduring Republic towering above the discordant masses of earth. We pray Thy blessing upon all whom we love, upon our friends everywhere, and upon those whom men remember only to hurt and hate. The poor and the outcast, may they find rescue. Oh, let Thy kingdom come, from which shall be banished all hatred and in which dwelleth peace, joy, and brotherly love. In the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate disagrees to the amendment of the House to the bill (S. 2475) entitled "An act to provide for the establishment of fair labor standards in employments in and affecting interstate commerce, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Utah, Mr. WALSH, Mr. MURRAY, Mr. PEPPER, Mr. ELLENDER, Mr. BORAH, and Mr. LA FOLLETTE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed the following concurrent resolution, in which the concurrence of the House is requested:

Senate Concurrent Resolution 37

Resolved, by the Senate (the House of Representatives concurring), That the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign a duplicate copy of the enrolled bill (S. 3532) entitled "An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.," and that the Secretary of the Senate be, and he is hereby, directed to transmit the same to the President of the United States.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3892. An act creating the City of Dubuque Bridge Commission and authorizing said Commission and its successors to purchase and/or construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Dubuque, Iowa, and East Dubuque, Ill.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. RAYBURN. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 92]

Anderson, Mo.	Doughton	Larrabee	Romjue
Andrews	Douglas	Lea	Rutherford
Arnold	Drewry, Va.	Lesinski	Sacks
Atkinson	Elliott	Lewis, Colo.	Sadowski
Barden	Evans	Lewis, Md.	Satterfield
Barton	Fish	Long	Schulte
Bates	Fitzpatrick	Lucas	Scott
Bland	Flannery	McGranery	Shafer, Mich.
Boehne	Fleger	McGroarty	Sirovich
Boykin	Ford, Calif.	McLean	Smith, Maine
Buckley, N. Y.	Frey, Pa.	McMillan	Smith, Okla.
Bulwinkle	Gasque	Maas	Snell
Byrne	Gifford	Magnuson	Somers, N. Y.
Cannon, Wis.	Goldsborough	Mahon, S. C.	Steagall
Cartwright	Gray, Pa.	Martin, Mass.	Sullivan
Celler	Green	Mason	Sutphin
Champion	Greenwood	Mead	Taylor, Colo.
Chandler	Griswold	Mitchell, Tenn.	Thomas, N. J.
Chapman	Hamilton	Mosier, Ohio	Thurston
Clark, N. C.	Hancock, N. C.	Mouton	Tohey
Claypool	Hart	Norton	Towey
Cole, Md.	Hartley	O'Connell, Mont.	Treadway
Cole, N. Y.	Healey	O'Connor, Mont.	Vincent, Ky.
Cooley	Holmes	O'Day	Vinson, Ga.
Crosby	Hunter	Oliver	Wearin
Culkin	Izac	Pettengill	Weaver
Curley	Jenkins, Ohio	Pfeifer	Wene
Daly	Jenks, N. H.	Polk	Whelchel
Delaney	Kelly, N. Y.	Quinn	White, Ohio
De Muth	Kennedy, N. Y.	Ramspeck	Withrow
Disney	Kerr	Randolph	Wolcott
Ditter	Kniffin	Rockefeller	Wolfenden
Dorsey	Kvale	Rogers, Okla.	Wood

The SPEAKER. Two hundred and ninety-four Members have answered to their names. A quorum is present.

On motion of Mr. RAYBURN, further proceedings under the call were dispensed with.

CONSTRUCTION OF BRIDGE ACROSS THE MISSOURI RIVER AT OR NEAR RANDOLPH, MO.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution No. 37.

The Clerk read the concurrent resolution, as follows:

Senate Concurrent Resolution 37

Resolved by the Senate (the House of Representatives concurring), That the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign a duplicate copy of the enrolled bill (S. 3532) entitled "An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.," and that the Secretary of the Senate be, and he is hereby, directed to transmit the same to the President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MAPES. Mr. Speaker, reserving the right to object, will the gentleman from Texas explain the purpose of this resolution?

Mr. RAYBURN. Mr. Speaker, the situation is that before this bill got to the President for his signature it was misplaced or lost. This is a resolution to allow the President to sign a duplicate.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The concurrent resolution was agreed to, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that it may be in order today to consider bills on the Private Calendar, after which it may be in order to consider the omnibus claims bill, which was partially considered last week but not completed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MAPES. Mr. Speaker, reserving the right to object, may I ask the majority leader a question? The Committee on Claims has reported another omnibus claims bill which has not been called up. Does the gentleman's request cover that bill?

Mr. RAYBURN. No; I did not include that.

Mr. MAPES. The gentleman included only the one that has been partially considered?

Mr. RAYBURN. Yes.

Mr. ENGLEBRIGHT. Mr. Speaker, reserving the right to object, as I understand it, there are several Senate bills to be brought up today. Will they come up after the omnibus bill or between the consideration of bills on the Private Calendar and the omnibus bill?

Mr. RAYBURN. It makes no difference to me.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FULLER. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FEDERAL ASSISTANCE TO THE STATES FOR PUBLIC EDUCATION

REPORT OF PRESIDENT'S COMMITTEE

Mr. FULLER. Mr. Speaker, on February 23, 1938, the President of the United States transmitted to this House the report of the Advisory Committee on Education, which committee had about a year ago been appointed by the President with instructions to study the whole field of Federal relations to State and local conduct of education and to report in time for action early in 1938.

This report, now pending before the House Committee on Education, is a memorable document and is considered by

many nationally known educators and many officials and leaders of national organizations not composed of educators to be the best of its kind ever made by a national deliberative body. This report, Mr. Speaker, offers a final answer as to whether Federal aid for education is needed and how it can be granted without control of States and local school districts in the conduct of schools.

PERSONNEL OF COMMITTEE

The committee that made the report was composed not only of leading educators in the Nation but also leading representatives of business, labor, agriculture, and leading authorities in some of our Federal departments.

BILL ON FEDERAL AID

Since the submission of the report of the advisory Committee on Education to the Congress, a bill has been drafted to carry out the principal recommendations of the report. The bill sponsored by Senator PAT HARRISON, of Mississippi, chairman of the Finance Committee, and Senator ELBERT D. THOMAS, of Utah, chairman of the Committee on Education and Labor, is now on the Senate Calendar and is fully expected by its sponsors to be passed by the Senate during this session of Congress. A similar bill by Representative FLETCHER is pending before the House Committee on Education.

It is my hope, Mr. Speaker, that our House Committee on Education will take immediate steps to report favorably to the House a bill based substantially on the report of the President's Committee. For my part I think this legislation ought to be enacted now.

PROGRAM RECOMMENDED

The President's Committee has recommended a very modest but very fundamental program of assistance to the States for financing public education. It recommends that grants be made for the improvement of public elementary and high schools, for training teachers, for school buildings, for our State departments of education, for educational opportunities for adults, and for library services for rural inhabitants. A study of the report shows that the following grants would be made available:

First. Funds for lessening inequalities of educational opportunity among the States, \$40,000,000 in 1939-40, increasing annually to \$140,000,000 in 1944-45. These funds would be apportioned to the States on the basis of the number of children 5 to 19 years old and financial ability to support schools. In general the greater the need of a State for additional funds to maintain its public schools the larger the amount that State will receive.

Second. Aid for teacher training, \$2,000,000 in 1939-40, \$4,000,000 in 1940-41, \$6,000,000 in 1941-42 and thereafter each year through 1945. These funds will be apportioned to the States in the same proportion as the funds for elementary and high schools.

Third. Aid for school buildings, \$20,000,000 in 1939-40, \$30,000,000 in 1940-41, and thereafter each year through 1945. These funds also will be apportioned to the States in the same proportion as the funds for elementary and high schools, and are to be matched dollar for dollar by State or local funds.

Fourth. Aid for State departments of education, \$1,000,000 in 1939-40, \$1,500,000 in 1940-41 and \$2,000,000 each year thereafter through 1945. Each State will receive \$5,000 per year and the remainder of these funds will be apportioned to the States in the same proportion as the funds for elementary and high schools.

Fifth. Grants to the States for adult education, civic, part-time, vocational, and general, \$5,000,000 in 1939-40, \$10,000,000 in 1940-41, and \$15,000,000 each year thereafter through 1945. These funds will be apportioned to the States according to the number of adult inhabitants in each.

Sixth. Grants to the States for library services for rural inhabitants, \$2,000,000 in 1939-40, \$4,000,000 in 1940-41, and \$6,000,000 each year thereafter through 1945. These funds are to be apportioned to the States on the basis of the number of rural inhabitants in each.

TOTAL OF PROPOSED ALLOTMENTS

According to the program outlined above, the allotments for distribution to the States for the first year, 1939-40, will amount to \$70,000,000 and the allotments during the sixth year, 1944-45, will amount to \$199,000,000. That these amounts are modest is shown by the fact that when they reach their maximum they will barely be 10 percent as much as the States and local communities now pay for public schools and the amount for the first year is barely the cost of one battleship.

REASONS FOR FEDERAL AID FOR EDUCATION

Mr. Speaker, the reasons why our Federal Government must bear its fair share of the cost of public education are perfectly obvious to anybody who has examined the facts.

EDUCATION AND DEMOCRATIC GOVERNMENT

In the first place, in a representative democracy such as ours the Federal Government, no less than the States, has an interest in the education and welfare of the citizens of the Nation. During the World War the young men were citizens of the Nation before they were citizens of the States. When it was found that nearly one-fourth of the young men in the draft were not sufficiently well educated to write a letter home nor read a column in a newspaper, the Nation suddenly discovered that it too had to pay the penalty of neglected educational opportunity.

NATIVES OF ALL THE STATES LIVE IN ALL THE OTHER STATES

It is of great significance to note that about one-fourth of the people of the United States now live in States other than their native States. Recently a check of the biographies of Senators and Congressmen appearing in the Congressional Directory shows that of the 89 Senators for whom the information is given 36—or 40 percent—were not born in the States they now represent. Of the 349 Congressmen for whom the information is reported, 102—or nearly 30 percent—were not born in the States they represent.

Our people have always moved about very freely. They will continue to do so, because the large cities and industrial areas do not rear a sufficient number of children to replace their population as deaths occur. But the great agricultural areas produce from 20 to 30 percent more children than are required to replace the rural population as deaths occur.

The South has only one-third of the Nation's population, but it produces over one-half the excess of births over deaths in the entire Nation. Under these conditions there is certain to continue to be migrations of people from one section to another. All sections of the Nation must be interested in the kind of schools found in all other parts of the Nation.

INEQUALITIES OF OPPORTUNITY

There are great differences in opportunity to get an education in this country, and the least opportunity is nearly always where there are the greatest number of children as compared to the number of adults.

Some measure of these inequalities can be obtained from the fact that the annual expenditures per school child range from \$19 per child in one State to \$124 per child in another State. In some States the average annual salary per city teacher is \$2,800, while in other States the average salary is only \$800. Although \$800 per year seems to be ridiculously little for the annual salary of a person supposed to be competent to teach our children, it looms large in comparison with the average annual salary of rural teachers in these same States, \$500.

MILLIONS NOT IN SCHOOL

Actually over 3,300,000 children between 5 and 17 years old are not during each year enrolled in any school. In eight States there are over 25 percent of the children who get no more than 150 days of schooling a year. Alabama has over 18,000 children in these short school terms and Arkansas has over 25,000.

Indeed, the President's Advisory Committee is right when it says:

The educational services now provided for a considerable percentage of the children are below any level that should be tolerated in a civilized country.

POOR SCHOOLS NOT DUE TO POOR EFFORT

It has been freely assumed in the past that some States have little money for schools because they refuse to levy taxes. Nothing can be further from the truth. The States that have the least to spend for schools levy the highest rates of taxes and the largest number of kinds of taxes. For the most part, the very States that are in greatest need levy the highest gasoline, cigarette, sales, inheritance, and income taxes to be found in the Nation. In my State we have a tax of 6 cents per gallon on gasoline, a tax of 5 cents per package on cigarettes, a sales tax of 2 percent on retail sales, inheritance taxes, at the same rates levied by the Federal Government; severance taxes, corporate and personal income taxes, property taxes for both State and local government. In fact, we have all the taxes and more, too, than the tax experts have ever recommended. The cigarette tax, which goes to the schools of the State, produces over \$1,000,000 annually. Notwithstanding our dire need, an attempt was made last year in our legislature by certain senators to cut this tax to 3 cents and deprive our children and teachers of approximately a half million dollars—all in the interest of the American Tobacco Trust.

The experts have estimated that if some of the rich States would levy the same taxes at the same rates as some of the poor States, the rich States would raise twice as much revenue as they now raise, not just twice as much as the poor States. Two hundred and fifty thousand teachers to whom is entrusted the education of 7,000,000 children receive an annual salary of less than \$750, which is less than is paid elevator operators, porters, and chambermaids here in Washington.

Teachers, outside of the colleges and wealthy centers, receive less pay for ability, education, and good accomplished than any class or profession in America.

RICH IN CHILDREN, POOR IN INCOME

The Nation's income and the Nation's children have a tendency to be in different places. For example, the farmers of the United States have about 31 percent of the Nation's school children but only 9 percent of the national income. The farmers of the South have 17 percent of the Nation's school children but only 3½ percent of the national income. My own State, Arkansas, has 1.7 percent of all the school children in the Nation, but the people of Arkansas have only 0.7 percent of the national income from which to pay for the education of those children.

EFFECT OF ABSENTEE OWNERSHIP ON TAXATION

Furthermore, the States most in need of additional funds for the support of their public schools are the States whose natural resources and industries are owned and controlled by persons who are residents of other States. Before the Senate Committee on Education and Labor last year a distinguished economist from the University of Texas made the statement that Texas is the richest foreign colony owned by Manhattan. He produced the records to prove his statement.

The effect of the great concentration of the ownership of wealth in this country on local and State ability to levy and collect taxes can readily be seen from the fact that nearly 50 percent of the corporate wealth of the Nation is owned by 15 corporations, the telephone company alone controlling more wealth than is contained in the borders of 21 States. I make no attack on business by pointing to these facts, but I do say that it is a fair proposition that the Federal Government, through its taxing and spending powers, return a reasonable portion of the wealth produced in the States suffering the effects of absentee ownership back to those States to maintain adequate public schools.

FEDERAL AID NECESSARY

There is small wonder that the President's Advisory Committee concluded that "no sound plan of local or State taxation can be devised and instituted that will support in every local community a school system which meets minimum acceptable standards. Unless the Federal Government participates in the support of the schools several millions of the

children in the United States will continue to be largely denied the educational opportunities that should be regarded as their birthright."

I have always supported legislation to provide for the Federal Government bearing its fair share of supporting public education. My record in supporting on the floor of this House appropriations for vocational education under the Smith-Hughes and George-Deen Acts is well known. Here is another great proposal coming directly from our great President to assist the youth of the Nation in the areas where they most need it. I am ready to cooperate to the fullest extent in securing the passage of such legislation.

GENERAL EXTENSION OF REMARKS

Mr. O'CONNOR of New York. Mr. Speaker, I wish to submit a unanimous-consent request, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. O'CONNOR of New York asks unanimous consent that all Members of the House shall have the privilege until the last edition authorized by the Joint Committee on Printing is published to extend and revise their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and may also include therein such short quotations as may be necessary to explain or complete such extension of remarks, but this order shall not apply to any subject matter which may have occurred or to any speech delivered subsequent to the adjournment of Congress.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. TABER. Mr. Speaker, reserving the right to object, is it the purport of the request that the Members may extend their remarks more than one time?

Mr. O'CONNOR of New York. Yes.

Mr. TABER. It states "on more than one subject," but does not say "on more than one occasion."

Mr. O'CONNOR of New York. It means on more than one occasion, too. This is to save the time of the Members rising and asking permission to extend their own remarks. This resolution has been introduced toward the close of each session for some time.

Mr. TABER. Mr. Speaker, it was not my purpose to object, but I wanted to see that the membership thoroughly understood it.

Mr. RICH. Mr. Speaker, reserving the right to object, may I ask the gentleman what he means by the inclusion of articles with the Member's address. Does that mean that anyone wishing to take a newspaper editorial or a newspaper comment may insert that or anything else he chooses to insert with his address?

Mr. O'CONNOR of New York. It does not mean that at all. It states "short quotations."

Mr. RICH. What does the gentleman mean by "short quotations"?

Mr. O'CONNOR of New York. Short quotations from the Constitution, from laws, and so forth; that is all.

Mr. RICH. It does not mean newspaper articles or quotations of that kind?

Mr. O'CONNOR of New York. No; or editorials or anything else.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

TENT CATERPILLARS

Mr. JONES. Mr. Speaker, I ask unanimous consent that the Committee on Labor may be discharged from the further consideration of the joint resolution (H. J. Res. 630) authorizing the Director of the Civilian Conservation Corps to cooperate with the State and subdivisions thereof in destroying tent caterpillars, and that the resolution may be referred to the Committee on Agriculture. I have consulted the chairman of the Committee on Labor, and this action is agreeable to the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GREEN] may be permitted to extend his remarks in the RECORD and include therein a brief editorial from the Washington Herald of May 26.

Mr. RICH. Reserving the right to object, Mr. Speaker, the gentleman has heard the discussion just held with the chairman of the Committee on Rules in connection with his unanimous-consent request, to the effect that we were not going to permit newspaper editorials to be placed in the RECORD. For the life of me, I cannot see why the membership of the House wants to insist on putting newspaper editorials in the RECORD. The CONGRESSIONAL RECORD is not supposed to be a digest of newspaper articles; it is supposed to be a record of what transpires in the House of Representatives.

Mr. HENDRICKS. That is exactly the reason I asked unanimous consent, because the request of the gentleman from New York would not permit placing this editorial in the RECORD. This is a brief editorial, and similar requests have been granted before.

Mr. RICH. I realize that, but if you want to make the CONGRESSIONAL RECORD a record of what transpires in the House of Representatives, neither the gentleman nor any other Member of Congress will request that newspaper editorials be inserted in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. RICH. I object, Mr. Speaker.

FLORIDA SHIP CANAL

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, the gentleman from Florida [Mr. GREEN] was called home to be with his wife during her illness. He asked me to insert these remarks in the RECORD. Since I have been unable to obtain permission to do so, I wish to read the remarks of my colleague [Mr. GREEN] and an editorial that appeared in the Washington Herald of May 26:

The Florida ship canal is undoubtedly the most important waterways project now before the American people. It will do all for the American people as cited in the favorable report given this project by the House Rivers and Harbors Committee. It also will carry even greater benefits to the American people in the course of time than its most fervent advocates now believe. The tonnage in the West and the South is rapidly increasing. The tonnage which will go through this canal will show a substantial increase with every generation. Its completion is in the interest of economy. It will also give employment which is now so greatly needed by millions of idle people in this Nation. It gives an avenue for expenditure on a project of lasting and permanent benefit to the people of this country and at the same time the cause of unemployment is relieved.

I include herewith a splendid editorial which appeared on the editorial page of the Washington Herald of May 26, 1938. I commend this broad-minded and comprehensive view to my colleagues:

"FLORIDA SHIP CANAL

"Distribution of the products of agriculture and industry is one of the major problems of the Nation. Work relief is one of the cardinal principles of the administration.

"Two needs can be met by resuming construction of the Florida ship canal. This canal will shorten the distance between Gulf and Atlantic ports by 400 miles. A protected route will benefit life and property and serve the Nation to immeasurable advantage in time of war.

"The area thus to be served includes three-fourths of the population, about the same proportion of the country's resources in agriculture and manufacture, 84 percent of its wholesale and retail trade and of its finance. Only 18 percent of the mineral wealth of the Nation is located outside the territory to which the canal will bring the advantages of cheap transportation.

"If labor is to benefit by wage-hour legislation, industry must get its profits out of reduced transportation costs. The railroads, staggering under their pyramided indebtedness—they have yet to retire a bond issue except by issuing a larger one to take its place—can no longer serve the country economically in their present status.

"While waiting for them to accept or avert the bankruptcy that constantly threatens and make a new and honest start, let the people of the Eastern and Southern States, where living levels are lowest, discover the benefits of low-cost distribution."

WINES, BRANDY, AND FRUIT SPIRITS

Mr. BUCK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10459) to amend certain provisions of law relative to the production of wines, brandy, and fruit spirits so as to remove therefrom certain unnecessary restrictions; to facilitate the collection of internal-revenue taxes thereupon; and to provide abatement of certain taxes upon wines, brandy, and fruit spirits where lost or evaporated while in the custody and under the control of the Government without any fault of the owner.

The Clerk read the title of the bill.

Mr. REED of New York. Reserving the right to object, Mr. Speaker, and I shall not object, I merely wish to say that this bill was reported unanimously by the Committee on Ways and Means. However, I believe it only fair to the House that on account of the length of the bill the gentleman explain its features.

Mr. BUCK. Mr. Speaker, this bill deals chiefly with certain changes in the administrative provisions of the laws relating to wine and brandy, and corrects certain inequities. This can best be explained by giving a simple illustration of one of them. At the present time it is perfectly possible to withdraw in bond tax-free still wines, but not sparkling or carbonated wines. We correct that situation, and so we go down the line and correct a number of injustices and inequalities in the administrative provisions. This is not a tax bill, or, of course, I would have brought it up as a privileged bill.

Mr. REED of New York. Further reserving the right to object, Mr. Speaker, I may say this bill was submitted to the Treasury officials, and the gentleman has a report in which it is stated the bill is acceptable to them.

Mr. BUCK. This bill was submitted to the Treasury, and approved by the Treasury, and cleared by the Bureau of the Budget. The amendments, all clarifying, bring the text of the bill in line with the Treasury suggestions. The bill is unanimously reported by the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 618 (a) of the Revenue Act of 1918 (U. S. C., 1934 ed., title 26, sec. 1303) is amended to read as follows:

"Sec. 618. (a) That under such regulations and upon the execution of such notices, entries, bonds, and other security as the Commissioner, with the approval of the Secretary, may prescribe, domestic wines subject to the taxes imposed by sections 611 and 613 as amended, may be removed from the winery where produced, free of tax, for storage on other bonded winery or bonded store-room premises or from such premises to other such bonded premises, or for exportation from the United States or for use as distilling material at any regularly registered distillery or industrial alcohol plant: *Provided, however,* That the distiller using any such wine as distilling material shall, subject to the provisions of section 3309 of the Revised Statutes, as amended, be held to pay the tax on the product of such wines as will include both the alcoholic strength therein produced by fermentation and that obtained from the brandy or wine spirits added to such wines at the time of fortification: *Provided further,* That suitable samples of brandy or fruit spirits may be withdrawn under rules and regulations to be prescribed by the Commissioner of Internal Revenue, subject to the approval of the Secretary of the Treasury, which samples shall be tax-free if for laboratory analysis and tax-paid if for any other use: *Provided further,* That the Commissioner of Internal Revenue, under rules and regulations to be by him prescribed subject to the approval of the Secretary of the Treasury, shall remit or refund all fortification taxes assessed or paid upon the quantity of fortifying spirits contained in wines exported, or which have become unfit for use as wine and are used as distilling material."

Sec. 2. Section 410 of the Liquor Tax Administration Act (U. S. C., 1934 ed., Supp. III, title 26, sec. 1320a) is amended to read as follows:

"Sec. 410. Under rules and regulations to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, distillers may collect, in locked tanks, distillates containing one-half of 1 percent or more of aldehydes or 1 percent or more of fusel oil (heads and tails) removed in the course of distillation. The distillates so collected may, under regu-

lations prescribed by the Commissioner, with the approval of the Secretary, be removed from such distillery for denaturation or be destroyed in the manner prescribed by the Commissioner, under the supervision of an internal-revenue officer to be designated by the Commissioner, and when so denatured or destroyed shall not be subject to the tax imposed by law upon distilled spirits. Such distillates so collected in fruit brandy distilleries may, under regulations to be prescribed by the Commissioner, with the approval of the Secretary, be drawn into approved casks, barrels, or other containers and stored in the brandy deposit room of the fruit brandy distillery where produced pending removal for denaturation or destruction."

Sec. 3. The Commissioner of Internal Revenue, under rules and regulations to be by him prescribed with the approval of the Secretary of the Treasury, upon the presentation of proof to his satisfaction of the loss by leakage, evaporation, theft, or otherwise of brandy or fruit spirits, intended for the fortification of wine, from storage tanks in bonded warehouses or from steel drums filled therefrom, and in the fortification room of a bonded winery, not occurring as the result of any negligence, connivance, collusion, or fraud on the part of the winemaker or his agents, is hereby authorized to remit or refund the taxes assessed or paid upon such lost brandy or fruit spirits: *Provided, however*, That such remission or refund shall be allowed only to the extent that the winemaker is not indemnified or recompensed for such loss.

Sec. 4. The first paragraph of section 602 of the Revenue Act of 1918, as amended (U. S. C., 1934 ed., Supp. III, title 27, sec. 74b), is amended by inserting in lieu of the period at the end thereof a colon and the following: "*Provided*, That under the provisions of this section insofar as applicable, the Commissioner of Internal Revenue may, under rules and regulations to be by him prescribed, subject to the approval of the Secretary of the Treasury, permit the transfer of fortifying spirits containing more than 159° proof up to and including 192° proof by pipe line from registered fruit distilleries and receiving cisterns in such distilleries to storage tanks in the internal-revenue bonded warehouse located on the distillery premises to be warehoused in such storage tanks and transferred by pipe line to the fortification rooms of contiguous wineries when required."

Sec. 5. Subdivision (g) of paragraph "Fifth" of section 3244 of the Revised Statutes, as amended (U. S. C., 1934 ed., Supp. III, title 26, sec. 1394 (e) (3)), is amended to read as follows:

"(g) Notwithstanding the foregoing provisions of this section, each person making sales of fermented malt liquor or wine to the members, guests, or patrons of bona fide fairs, reunions, picnics, carnivals, or other similar outings, and each fraternal, civic, church, labor, charitable, benevolent, or ex-service men's organization making sales of fermented malt liquor or wine on the occasion of any kind of entertainment, dance, picnic, bazaar, or festival held by it, if such person or organization is not otherwise engaged in business as a wholesale or retail liquor dealer or as a wholesale or retail malt liquor dealer, shall pay, before any such sales are made and in lieu of the special taxes imposed by subdivision (a) of this paragraph and subdivision (a) of paragraph 'Fourth' of this section (U. S. C., 1934 ed., Supp. III, title 26, sec. 1934 (b) (1)) a special tax of \$2 as a retail dealer in malt liquors, if fermented malt liquor only is sold, or a special tax of \$2 as a retail dealer in liquors if wine only, or wine and fermented malt liquor only, are sold for each calendar month in which any such sales are made."

Sec. 6. The fourth paragraph of section 605 of the Revenue Act of 1918, approved February 24, 1919 (U. S. C., 1934 ed., title 26, sec. 1151 (b)), is amended to read as follows:

"The taxes imposed by the first paragraph of this section shall not attach to cordials or liqueurs on which a tax is imposed and paid under sections 611 and 613 of this act, as amended, nor to the mixing and blending of wines, where such blending is for the sole purpose of perfecting such wines according to commercial standards, nor to blends made exclusively of two or more pure straight whiskies aged in wood for a period not less than 4 years and without the addition of coloring or flavoring matter or any other substance than pure water and if not reduced below 90 proof; nor to blends made exclusively of two or more pure fruit brandies distilled from the same kind of fruit, aged in wood for a period not less than 2 years and without the addition of coloring or flavoring matter or any other substance than pure water and if not reduced below 90 proof: *Provided*, That such blended whiskies and blended fruit brandies shall be exempt from tax under the first paragraph of this section only when compounded under the immediate supervision of a revenue officer, in such tanks and under such conditions and supervision as the Commissioner, with the approval of the Secretary, may prescribe."

Sec. 7. The second paragraph added to section 605 of the Revenue Act of 1918, as amended, by section 319 (b) of the Liquor Tax Administration Act (U. S. C., 1934 ed., Supp. III, title 26, sec. 1151 (f)), is amended to read as follows:

"The manufacture of vermouth with fortified sweet wine on bonded winery premises shall not be deemed to be rectification within the meaning of paragraph 'Third' of section 3244 of the Revised Statutes, if distilled spirits other than necessary in the production of approved essences, whether or not such essences are produced on the bonded winery premises, used in the manufacture of vermouth, are not added to the fortified sweet wine used in the manufacture thereof or to such vermouth during or after its manufacture. Such vermouth may be manufactured on bonded winery premises, but only in a separate department thereof having no

interior communication with any other department or part of such premises, under such supervision and in accordance with such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe."

With the following committee amendments:

Page 2, line 3, strike out the word "and" and insert "or."

Page 4, line 7, after the word "therefrom", insert "while such drums are in such warehouse."

Page 4, line 14, after the word "the" where it occurs the second time, insert "distiller or."

Page 6, line 11, strike out "and" where it occurs the second time, and insert "or."

Page 7, line 15, after the word "essences", strike out the remainder of the line and all of lines 16 and 17.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD in regard to the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUCK. Mr. Speaker, the bill which the House has just passed, H. R. 10459, is largely amendatory of the existing law, and the amendments are designed to correct existing inequalities and injustices. There is, however, some new legislation contained in the bill, and I believe it desirable to set out its provisions a little more fully than was possible in answering the reservation of objection made by the gentleman from New York [Mr. REED].

A revision of regulations 7, dealing with wines, was made by the Bureau of Internal Revenue following the passage of the Liquor Tax Administration Act of 1936, and a similar revision of the regulations governing brandy and fruit spirits is now in preparation. These revisions have been, on the whole, quite satisfactory both to the grape and wine industry and to the Treasury Department. It has been discovered, however, that there were certain corrections which should be made which could not be accomplished without statutory legislation. These corrections have been agreed upon by representatives of the grape growers, the wineries, and the Treasury Department, and are embodied in this bill.

The first section of the bill makes it clear that champagne, sparkling wine, and artificially carbonated wine taxed under section 618 of the Revenue Act of 1918 may be removed in bond free of tax in the same manner as domestic still wines taxed under section 611 may now be removed. This section also authorizes the Commissioner of Internal Revenue to permit samples of brandy or fruit spirits to be withdrawn tax free if for laboratory analysis. Universities and agricultural colleges from time to time have use for such samples. When withdrawn for commercial purposes, the amendment provides that such samples must be tax paid.

The second amendment under section 1 provides for the refund of fortification taxes assessed or paid upon the quantity of fortifying spirits contained in wines exported or which have become unfit for use as wine and are used as distilling material. This is in accordance with the universal rule that internal-revenue taxes are withheld or withdrawn from exported merchandise. Distilling material when made into brandy or fruit spirits will pay the full tax when sold or otherwise used, and the provision as to distilling material avoids duplicate taxation.

Section 2 of the bill allows distillates containing one-half of 1 percent of aldehydes or 1 percent or more of fusel oils, which now must be collected in locked tanks, to be run off into casks or barrels and remain upon the bonded premises until finally disposed of by denaturation or destruction. These distillates contain material which is objectionable as to taste and odor and cannot be blended with the normal run of brandy.

The bill also provides for the remission or refund of taxes assessed or paid upon brandy or fruit spirits which have been lost by leakage, evaporation, or theft while in a bonded warehouse, whether from storage tanks or from steel drums or in

the fortification room of a bonded winery. At the present time the law allows this only in the case of brandy stored in barrels. It is unfair that a tax should be collected upon merchandise which has been lost or destroyed without fault on the part of the maker and while under the guard of the Treasury Department.

A new provision of law in the bill will permit the transfer of fortifying spirits of more than 159° proof plus up to 192° proof by pipe lines from fruit distilleries to storage tanks in the internal-revenue bonded warehouses located on the distillery premises to be warehoused in such storage tanks for transfer by pipe line to the fortification rooms of contiguous wineries. This is a matter of economy of operation and will be under the supervision and regulation of the Bureau of Internal Revenue.

At the present time vendors of fermented malt liquors selling only to members, guests, and patrons of picnics, carnivals, and similar outings pay a special tax of \$2 as retail dealers for each calendar month for which such sales are made. This bill extends the same special rate to vendors of wine operating under the same conditions.

A further amendment gives the manufacturers of brandy the right to blend two or more pure fruit brandies distilled from the same kind of fruit if aged in wood for a period of not less than 2 years. This parallels the present provision for the blending of whiskies which is allowed if the blends are 4 years old. Brandy of 2 years of age is of the same relative maturity as whisky of 4 years of age. The mixing and blending of brandies in Europe is universal. It is essential in the production of competitive products of the same quality.

The final section of the bill merely corrects existing law relative to the uses of essences in the manufacture of vermouth. These essences are made by steeping herbs in alcohol. Necessarily some minor degree of the alcohol remains in the essence. Under existing law, if strictly construed, such essences could not be used in the production of vermouth on bonded winery premises as now allowed by law.

All of these changes have received the approval of the Treasury Department, and the favorable report rendered by the Acting Secretary of the Treasury, Hon. Roswell Magill, has been presented to the Bureau of the Budget, which in turn has advised that there is no objection on its part. The enactment of this law will tend to bring about stability and equity in the manufacture and distribution of wines and brandies. It is primarily an administrative measure. No changes in tax rates are involved in the bill. It is gratifying to note that there has been no opposition to its passage.

EXTENSION OF REMARKS

Mr. SMITH of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein a statement of the mayor of South Charleston, W. Va., in reference to the naval ordnance plant in that city.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MITCHELL of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein a letter from the Housing Authority and my answer to that letter on the housing question.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PRINTING OF HOUSE RULES AND MANUAL

Mr. LAMBETH. Mr. Speaker, by direction of the Committee on Printing, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 469

Resolved, That the Rules and Manual of the House of Representatives for the Seventy-sixth Congress be printed as a House document, and that 1,600 additional copies shall be printed and bound for the use of the House of Representatives, of which 700 copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House for distribution to officers and Members of Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

THE C. I. O. IN MICHIGAN

THE MOTOR INDUSTRY LED THE WAY TO RECOVERY

Mr. HOFFMAN. Mr. Speaker, out of the dismal, miry swamp of depression in which the people of the Nation were struggling, bogged down and sinking, following the wild speculation of 1929, the motor industry of Michigan led a hopeful, trusting Nation on to the firm, hard, and smooth highway used by private industry and at the end of which was individual and national prosperity.

Efficient organizations, reaching into every nook and cranny of the Nation, searching out and purchasing the products of farm, forest, and mine which went into the manufacture of its motor vehicles, gave employment to, and distributed profits among, hundreds of thousands of workers, laborers, mechanics, and businessmen in every hamlet, village, and city throughout the land.

These organizations had proven the soundness of the theory that, by greater efficiency, an ever-increasing wage could be paid and an ever-improving product sold at an always lessening price.

GAVE EMPLOYMENT DURING DEPRESSION

Buttressed and fortified by huge surpluses which had been accumulated notwithstanding the payment of fair wages and substantial dividends during the years of prosperity, this industry was enabled, and its guiding spirits had the courage, when the blight of a world-wide depression struck us with paralyzing force, to continue operations, although on a reduced scale, and to give jobs which enabled the workingmen to provide food, clothing, and shelter for those dependent upon them.

Up out of those dark, gloomy days, marching far in advance, without beating of drum or blaring of trumpet, this industry led our people. About this there is no mistake, for there were, at that time, no other great industries in the Detroit area in Michigan, and we have the testimony of one who has done much to hamper and destroy the constructive policies of the motor industry that Detroit and Michigan had attained recovery.

WAGES WERE HIGH IN MICHIGAN

In the New York papers of March 20, 1937, we have Governor Murphy saying that in Detroit—

There is a general picture of high wages, good condition, security, and recognition which is one of the best in the country. Wages here are the highest of any place in the country or in the world.

These conditions of high wages and plentiful employment so pridefully described by the Governor had been prevalent during the closing months of 1936, but some, who evidently knew, early foretold, if they did not predict, the coming assault which was to paralyze the motor industry and slow up national recovery.

COMING OF COMMUNISM PREDICTED

Shortly after Murphy's return from the Philippines to become candidate for Governor of Michigan, a weekly of national circulation published a statement purporting to have been made by him, quoting President Roosevelt as saying:

If communism breaks in America, it will be in the Detroit area, where it will first manifest itself.

A pertinent query in many minds is this: How did Murphy, how did the President, know unless Lewis told him, that, when communism broke in America, it would first manifest itself in the Detroit area? Or did Murphy misquote him?

The closing months of 1936 gave us factories working overtime, with wages almost, if not fully, as high or higher than during the boom days of 1929.

MOTOR INDUSTRY READY TO GIVE EMPLOYMENT

There stood the factories. There were the piles of raw material waiting to be fabricated. There stood the ma-

chinery by means of whose magic touch those mountains of raw material, gathered from farm, from forest, and from mine, were changed as by a miracle into machines of power and precision to make more accessible to hundreds of thousands of families not only the necessities of life but pleasure, recreation—all those things which make life more worth living.

There were the men, thousands of them, satisfied—the vast majority of them—with wages, working conditions, places of employment, eager and anxious to continue at their tasks, to earn the money which would bring not only present comforts but future security to them and their families.

Then, out of a clear industrial sky, like one of the plagues of old, upon peaceful Michigan cities descended the red menace, making true the prophecy that when communism broke in America it would break first in the Detroit area.

UNDER FALSE COLORS

With the support of the National Labor Relations Board, the interpreting agent and the executive arm of the National Labor Relations Act, which became law on the 5th day of July 1935, and the announced purpose of which was to diminish the causes of labor disputes, to protect the right of the individual worker to join or not to join the union of his choice; to secure to him the right of collective bargaining, the Communists in the C. I. O., like a pack of hungry wolves, tore into the ranks of the men in Michigan who had jobs and who wanted to work.

THE WRECKERS CAME

Earl Browder, the Communist candidate for President in 1936, it was who had prophesied their coming when he threatened:

We industrial unionists are going to take over the industries some day for three very good reasons:

1. Because we need them.
2. Because we want them.
3. Because we have the power to get them.

Many regarded his threat as idle talk; his announced move as something which could not happen here.

Earl Browder threatened; John L. Lewis and his communistic followers acted. Earl Browder, the American Communist leader, told us what he would do; John L. Lewis and his C. I. O. executed the threat.

The purpose of the invasion was to further the cause of communism. The leaders were Communists. The methods used were those of the Communists.

THE GOVERNOR AND THE PRESIDENT AIDED

Either knowingly or unwittingly, the Governor of the State and the President of the United States—the first by active assistance; the second by silence when silence was a potent force—gave the aid which turned the tide of battle decisively against the forces of law and order, against the personal right of the individual to work.

Under the guise of protecting men who were making no complaint, of bettering the conditions and increasing the wages of those who were satisfied with wages, hours, and places of employment, the radical element which had been ousted from the American Federation of Labor, armed and using strong-arm methods, by force and in violation of State and Federal law, took possession of and held to ransom factories in the cities of Michigan.

THEY FOUGHT THEIR FELLOW WORKERS

These men not only defied State and Federal authority; they not only destroyed property; they not only used coercion, intimidation, and force, but they drove from their jobs honest, peaceful, law-abiding men, who asked only that they be not denied the right to work.

These invaders levied tribute upon the workers of Michigan. They levied tribute by force, in defiance of the principle established by our Revolutionary forefathers, that money could only be taken from the citizen through his chosen representatives.

For 44 long days these armed invaders, at a cost of a million dollars a day to those they pretended they came to aid, worked their will in Michigan.

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They took possession of the entire city of Flint. Men, women, and children used the thoroughfares of that city only by permission of these invaders.

Their activities spread to other cities in Michigan. Chrysler, which had thought itself beyond the battle line, felt the force of the assault. Its factories, too, were closed, as were many others—not because wages were too low, hours too long, or working conditions unfavorable, but because C. I. O. demanded recognition and sole bargaining powers.

DEMANDED A MONOPOLY OF LABOR

C. I. O. demanded in Michigan at this time not benefits for its members or for those who were employed, but its demand—and about this there is no mistake—was that John L. Lewis and his organization be acknowledged as the boss of all labor.

It sought to establish the proposition that labor, like coal and iron and grain, was a commodity to be purchased in the open market through brokers or middlemen.

John L. Lewis and C. I. O. demanded that he and it be recognized as having a monopoly of labor.

C. I. O.'s demand was and is that if factory, mine, or mill owner would give employment, would hire men, he must come to it and bargain for that service.

The demand of the C. I. O. was and is that here in America, if man would work, he must first sign on the dotted line of the C. I. O. membership card and pay tribute through dues and fees before he pays for or purchases the food, clothing, or shelter which may be necessary to sustain him and those dependent upon him.

John L. Lewis has added to the Ten Commandments an eleventh, which is that in America: Thou shalt not work without the consent of the C. I. O. and the payment of the dues imposed by it.

Words may be used, arguments may be made, and the floodgates of denunciation and vilification may be opened; passions may be aroused; envy and hatred may be sown broadcast against those who give employment; but the cold, hard fact remains that the demand of Lewis and of the C. I. O. is, as stated, that he and it be recognized as the man and the organization who shall determine when men shall work and when they shall remain in idleness.

Power over the daily lives, over the welfare—yes, over the very existence—of American citizens has never heretofore been demanded by any man.

Big business has frequently and justly been condemned, not only because of its practices but because of its very bigness. Here is a monopoly of labor greater than any combination business ever effected. Here are the privileged few—the leaders, not elected but self-appointed, and their chosen organizers—who have collected millions of dollars from the man who toils, who have used that money not for the betterment of those who contributed but for their own personal advancement.

LEWIS PUTS ON PURPLE ROBES

Lewis and his kind condemn in no uncertain terms the avarice, the greed, the selfishness of those they are pleased to term "economic royalists"; but Lewis draws a salary of \$25,000 a year. Lewis has an expense account of thousands upon thousands of dollars. He lives in a home which is not a hovel. He rides in a vehicle which is somewhat different from an oxcart.

No one envies Lewis his prosperity; but his conduct, his manner of living, show that he does not choose to share in the hardships or the simple ways of living of those whose lack of material prosperity he deprecates.

While he would lead the army of the underprivileged, he does not choose to march at their head clothed as they are clothed, eating as they eat, but, aping those givers of employment whose alleged greed he so bitterly denounces, he rides at the head of his army on cushioned seat, resplendent in all the regalia of the pampered rich, and, in tails and fashion's latest raiment, seeks recognition at the door of that society against whose leaders he wages industrial warfare.

His acts belie his words of sympathy for those upon whose earnings he lives in luxury.

THE LOSS TO THE WORKERS

What did the C. I. O. bring to Michigan, to the country as a whole?

To the workers of General Motors it brought a wage loss of \$44,000,000. Other millions were lost to the stockholders of that corporation. The corporation lost \$22,000,000. Chrysler's workers lost in wages \$10,000,000. The retail merchants of Detroit and the immediate vicinity sustained a loss of \$6,000,000; the wholesalers' loss was \$7,750,000.

During 1928, 1929, 1930, and 1931 strikes in this country cost the workers 28,193,455 days. That was a 4-year loss.

During 1936 there were 2,172 strikes, 788,648 workers involved, and 13,901,956 days lost.

During 1937 there were 4,590 strikes, 1,850,350 workers involved, and 28,230,130 days lost.

Last Sunday, William J. Cameron, who probably knows more about conditions in Michigan than any other living man, told us in a radio address that during the last 2 years, when employment was the one thing most desired, more than 42,000,000 days' work was left undone by those engaged to do it. He further said that those figures did not represent unemployment but actual employment suppressed by that voluntary stoppage known as strikes.

He stated:

In those 2 years the Nation and individuals lost 115,000 years of 365 days each, or, in terms of the 5-day week, 161,530 years.

By far the major portion of this appalling lost time and wages, gone forever, can be charged directly to the C. I. O.

The persecution of the employer can be attributed to envy, hatred, or to a sincere belief that workers have been persecuted, misused, and abused. But to what motive can be attributed the persecution of the individual, independent worker, or the like treatment of members of a rival union? Is it to establish a dictatorship over labor for the purpose of collecting revenue?

If this be not the object, then there remains the thought that the destruction of industry as it now exists and the freedom of the worker to join or not to join the union of his choice must be abolished, as a necessary step in the changing of our form of government.

Is it true that Lewis and the C. I. O. are but pawns in that game of the President's advisers, described by Bainbridge Colby, the distinguished Secretary of State in Wilson's Cabinet, who, in 1934, said:

So completely has the administration turned its interest and its energies away from business recovery that it is openly charged, and indeed admitted, that a substantial number of the President's immediate advisers are not desirous of business revival, feeling that to prolong the depression will produce a better psychological background for the prosecution of their revolutionary designs. The overturn of our institutions, including the Constitution, is their avowed goal.

That the C. I. O. is interested in something more than the betterment of labor has been demonstrated by its conduct.

In Michigan it not only closed factories and violated the law with impunity, defied the law-enforcing officers, but it seized and held possession of the State capital at Lansing, Mich., for a day, and for no other purpose than to demonstrate its power.

For a like purpose, although it had a signed contract with Consumers Power Co., in the Saginaw Valley it pulled the switches in the power plants and threw a goodly portion of the State into darkness.

It is backed by high authority. Otherwise it would not dare to defy the law-enforcing officers.

OTHER STATES DID NOT YIELD TO LAWLESSNESS

In Connecticut, Governor Cross; in Indiana, Governor Townsend; in Ohio, Governor Davey; in Illinois, Governor Horner; each put an abrupt stop to its unlawful activities, prevented a reign of terror by a declaration that the law must be observed.

COMMUNISTS IN THE C. I. O.

In Michigan the President's chosen Governor knew that the leaders of this movement who received his direct aid in their lawlessness were reds, for he said:

Communists deliberately created disorders in the Lansing labor holiday, the Consumers Power Co. strike, and in some phases of the sit-downs. They not only sought disorders but they sought bloodshed. They wanted bloodshed, and they sought to draw us into a fight.

Here is the frank admission that the Communists of the C. I. O. marched into Michigan, armed, seeking bloodshed. It was the blood of peaceful, law-abiding citizens, working at their daily tasks, that they sought.

Where was the man who, with uplifted hand, had sworn before God to uphold the law of the land and to protect the citizens of his State? And what did he do?

He was on the scene and, by his silence and by his acts, he gave license to those seekers of innocent blood to accomplish their purpose and, if necessary, to shed the blood of the innocent.

LAW-ABIDING CITIZENS REFUSED PROTECTION

To the innocent, law-abiding citizen, by his conduct and his acts, he said:

Give way; yield to the demands. Surrender your jobs, your right to work, for I will not protect you; for if I do, blood will be shed, and bloodshed must be avoided.

Governor Murphy gave to the people of Michigan the hard choice of shameful, humiliating surrender, or of themselves individually assuming the risk of resisting the armed invading gangsters.

THE PRESIDENT KNEW OF THE LAWLESSNESS

The President of the United States was aware of the situation, for Governor Murphy told us that the President—

is watching Michigan every hour in connection with the strike situation.

He often calls morning, noon, and night to express his interest and great concern and to give his advice.

The Communist leaders of the C. I. O. brought to Michigan the Roosevelt depression. They there sowed the seeds of a national depression.

The Communist leaders of the C. I. O. brought to Michigan and established there the doctrine that the law need not be obeyed; that neither property right nor personal right, the right to work, was secure or would be protected.

WELFARE FUNDS FINANCE STRIKES

The Communist leaders of the C. I. O. initiated in Michigan and established in many places throughout the country the doctrine that men may quit their jobs, although they have no demand except that the union be recognized as the bargaining agent for all workers in that plant; then demand and receive support for themselves and their dependents out of the funds appropriated by the Federal Government for the relief of the unfortunate and the unemployed.

They have thus financed their strikes, paid their pickets, through the use of Federal relief funds.

They have in their papers printed the demand that members of the unions can only be excused from the payment of regular dues, when on relief, by paying dues to the W. P. A. Auxiliary, a union organization.

Thus from those on relief work they are collecting, for the union treasury, which heretofore has contributed more than a million dollars to the New Deal campaign fund, money appropriated for relief and for welfare work.

The Communist leaders of the C. I. O. brought to and established in Michigan the practice that men may be forced to quit their jobs by outside organizers, go on relief, and be supported by the farmers and the other workers of the State.

The Communist leaders of the C. I. O. brought to Michigan and established there the doctrine that there is within the Government an invisible government which controls and directs the people's elected and appointed law-enforcing officials.

The Communist leaders of the C. I. O. have demonstrated that, for the time, at least, in Michigan men will work only when and after they have signed allegiance to the C. I. O. and contributed to its war chest.

Communists in the C. I. O. have in Michigan made good their demand that, before men can work to earn the money

which buys food, clothing, and shelter for themselves and their families, they must pay the dues levied by the C. I. O.

A MONOPOLY OF LABOR

For the first time in the history of our country the Communists in the C. I. O. have, in some instances, brought about their purpose to establish a monopoly of labor, to sell man and his labor, as in the days of slavery, like a commodity.

As a general proposition, no longer in Michigan, in the industrial centers, can a man bargain with another who would employ him; and, if John L. Lewis has his way, like dumb cattle driven to the stockyards and the slaughter pen, the toil of the man who works—yes, the man himself—will be sold to the captains of industry by John L. Lewis, the captain of labor.

Communists in the C. I. O., for the first time in our history, have, on a Nation-wide front, attempted to array the man who works, in open battle line, against the man who provides the jobs, and this despite the acknowledged fact that such a battle is ruinous to both and that neither can succeed without the help and cooperation of the other.

The bringing about of the situation which has just been described is proof positive that it is not solicitude for the worker, the betterment of his condition, which these men are seeking, but that it is collectivism which they would establish.

Michigan is doomed to lose its commanding position as an industrial State, unless it breaks the power of the radical leadership in the C. I. O.

C. I. O. SHOULD PURGE ITSELF

The rank and file of the C. I. O.—sincere, conscientious, honest, patriotic men—can do this itself, if the membership so wills, by refusing longer to submit to the domination of a few.

THE REMEDY

There should be an amendment of the Wagner law, so that it will accomplish its avowed purpose—the diminishing of the causes of labor disputes; a change in the personnel of the N. L. R. B.; a strengthening of the hands of the American Federation of Labor and an adherence by that responsible labor organization to the principles enunciated and followed for so many years by Samuel Gompers.

As Michigan started the Nation toward recovery, so, too, it is hoped that Michigan in November of 1938 will, by an overwhelming vote of its people, repudiate the communistic leadership of the C. I. O.; announce its faith in the responsible, constructive program of the American Federation of Labor; consign Governor Murphy to the political oblivion which he so richly deserves, and elect a Governor not only with ability and courage, but with a determination to see that all have equal opportunity under the law.

ST. LOUIS BOND ISSUE ELECTION—SEPTEMBER 1935

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, the following editorial appeared in the St. Louis Post-Dispatch of May 23, 1938:

A MISCARRIAGE OF JUSTICE

On the shelves of the board of election commissioners are rows and rows of ballot boxes containing evidence of wholesale fraud in the river-front bond issue election of September 1935.

They can be seen, felt, photographed. They are physically of this world. If they were opened and their contents examined, the basis would be laid for indictments, trials, and prison terms for election officials who stuffed them with fraudulent ballots.

But the ballots will never be examined and no one will ever pay a penalty for the fraud, because the Supreme Court of Missouri has declared the ballots legally nonexistent.

The decision is undoubtedly good law. It was concurred in by all the members of the court. It is one of those instances where good law conflicts with justice, the interest of the community, ordinary horse sense.

By good law, we mean proper interpretation of the statutes. In deciding the case, the court had before it a law of 1877 requiring destruction of ballots 1 year after an election; it had before it another law, passed in 1895 and amended in 1921, applying to cities of 100,000 or more, permitting preservation of ballots for

more than a year, provided there was pending an election contest, criminal prosecution, or grand-jury investigation.

It was on the latter statute that Circuit Attorney Miller relied in his attempt to open the ballot boxes, but the supreme court held it to be unconstitutional because it was local and special legislation. Hence the 1877 statute governed and it makes destruction of ballots mandatory after 1 year.

Not until nearly a year after the election did an investigation reveal that it was crooked. Upon receiving the proof, the circuit attorney ordered the ballot boxes held for purposes of prosecution. In the few days remaining before the year was up, it was, of course, humanly impossible to act, yet the law made it necessary to act in those few days or not at all.

The law of 1877 is changed by a constitutional amendment permitting the use of ballots as evidence in election contests, grand-jury investigations, etc. But the amendment was passed in 1924 and does not validate the law of 1895, or its amendment in 1921.

It would have been necessary, if the river-front bond issue election ballots were to be useful as evidence, for the legislature to pass a new statute under authority of the amendment. It did not do so.

So a confusing situation arose which compelled the supreme court to deny grand juries, prosecutors, and courts access to ballots which actually exist, because they are legally nonexistent.

The confusion is chargeable to the legislature. It is the latest of a long series of events showing that Missouri is badly governed. The legislature for many years has been incompetent or worse. In this instance, it may have been mere incompetence that a confusing situation was permitted to exist; it may also have been that the confusion was purposeful—to further the ends of those who thrive by corruption at the polls.

So, regardless of the admitted correctness of the court's decision, we have here a gross miscarriage of justice. Through a technical loophole, a horde of election thieves have gained immunity for their crimes, and a crooked election has, for all practical purposes, been validated.

Democracy is predicated upon honest elections—yet here is a dishonest one which, because of the curious workings of the law, becomes binding.

How much longer are the people of Missouri going to take it on the chin before they rise in their might to demand decent government? How many miscarriages of justice are enough?

BRIDGE AND CAUSEWAY NEAR CEDAR POINT AND DAUPHIN ISLAND, ALA.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10275) to extend the times for commencing and completing the construction of a bridge and causeway across the water between the mainland, at or near Cedar Point, and Dauphin Island, Ala.

The Clerk read the title of the bill.

Mr. MAPES. Mr. Speaker, reserving the right to object, will the gentleman explain the purpose of the bill?

Mr. HOBBS. The purpose of the bill is simply to extend the time for commencement and completion of a bridge from the mainland to Dauphin Island, off the shore of the State of Alabama. It has the approval of both the War and Agriculture Departments.

Mr. MAPES. It is in the usual form for that kind of bill?

Mr. HOBBS. Yes; and this is merely an extension.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge and causeway between the mainland at or near Cedar Point and Dauphin Island, Ala., heretofore authorized to be built by Dauphin Island Railway & Harbor Co., its successors and assigns (Mobile County, Ala., and Highway Bridge Commission, Inc., an Alabama corporation, transferees), as last extended by Public Law No. 138, Seventy-fifth Congress, approved June 9, 1937, are hereby extended 1 and 3 years, respectively, from the date of approval of this act: *Provided,* That it shall not be lawful to commence the construction of said bridge until plans thereof shall again be submitted to and approved by the Chief of Engineers and by the Secretary of War.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committees amendments:

Page 1, line 9, after the word "corporation", insert "and Alabama Bridge Commission, an agency of the State of Alabama."

Page 2, line 4, after the word "act", strike out the remainder of section 1.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIGNING OF DUPLICATE SENATE BILL

The SPEAKER. The Chair desires to state that pursuant to Senate Concurrent Resolution 37 the Chair has signed a duplicate copy of the Senate bill (S. 3532).

THE PRIVATE CALENDAR

The SPEAKER. In pursuance of the unanimous consent agreement heretofore entered into, the Clerk will call the first individual bill on the Private Calendar.

WILLIAM FRANKLIN BOURLAND

The Clerk called the first bill on the Private Calendar, H. R. 6461, conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claim which William Franklin Bourland, of the Chickasaw Nation of Indians, may have against the United States, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction be, and is hereby, conferred upon the Court of Claims of the United States, with right of appeal to the Supreme Court of the United States by either party, notwithstanding the lapse of time or the statutes of limitations, to hear, examine, determine, adjudicate, and render judgment, according to right and justice, on any or all claims de novo upon a legal and equitable basis, of whatsoever nature, which William Franklin Bourland, of the Chickasaw Nation of Indians, may have against the United States, for the purposes of compensating said William Franklin Bourland for the services as delegate, rendered to the Chickasaw Nation, and the United States thereof, including, but without limiting the generality of the foregoing claims arising under or growing out of any treaty or agreement of the United States, law of Congress, Executive order, or any misfeasance or nonfeasance on the part of the United States with respect thereto, or arising under or growing out of any act of Congress in relation to Indian Affairs which claims have not heretofore been determined or adjudicated on their merits by the Court of Claims of the United States or the Supreme Court of the United States.

Sec. 2. Any and all claims against the United States within the purview of this act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within 5 years from the date of approval of this act, and such suit shall make William Franklin Bourland, of the Chickasaw Nation of Indians, party plaintiff and the United States party defendant, and the plaintiff shall have the right to amend any suit heretofore or hereafter filed by him in the Court of Claims. Such petition shall set forth the facts on which the claim or claims for recovery is or are based and shall be verified by an attorney or attorneys employed to prosecute such claim or claims under contract with said William Franklin Bourland, which said contract has been executed in accordance with existing law. Such petition may be made upon information and belief and no other verification shall be necessary: *Provided, however,* That official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to such attorney or attorneys of said William Franklin Bourland, of the Chickasaw Nation, to such treaties, papers, correspondence, or records as may be needed by said aforementioned attorney or attorneys.

Sec. 3. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to any such suit any or all persons deemed by it necessary or proper to the final determination of the matters in controversy.

Sec. 4. In any such suit as aforesaid, any claims which the United States may have against the said Chickasaw Nation of Indians, and any payment or compensation which the United States may have made to said Chickasaw Nation of Indians prior to date of adjudication shall not operate as an estoppel or be pleaded as set off in such suit.

Sec. 5. A copy of the petition shall in each case be served upon the Attorney General of the United States, and he or some attorney from the Department of Justice to be designated by him is hereby directed to appear and defend in the interests of the United States in such case.

Sec. 6. If the Court of Claims shall find that the said William Franklin Bourland, of the Chickasaw Nation of Indians, had performed services or discharged his duties for any reasonable period whatsoever as a delegate of said nation to Washington or served from January 1 to June 20, 1910, inclusive, without just compensation therefor and for any and all expenses incurred by him, it is hereby declared that such action shall be sufficient grounds for equitable relief and the court shall render judgment in favor of said William Franklin Bourland, of the Chickasaw Nation, and shall award him just and full compensation for all such services rendered and expenses incurred in that capacity as delegate, based upon a quantum meruit; such judgment in favor of the plaintiff shall be paid out of the funds of any funds in the United States Treasury belonging to the Chickasaw Nation not otherwise appropriated: *Provided,* That if the Court of Claims shall determine that the United States by reason of any delay on the part of its authorized agents in making compensation for said services from the date of their performances by the said William Franklin Bourland, of the Chickasaw Nation, then the said court is hereby authorized to award and enter judgment, as justice and equity may demand, for damages due to such delay at 4 percent per

annum of the stipulated or agreed amount set out for compensation of delegates to Washington, D. C., signed or executed in any such agreement with the Chickasaw Nation and the United States; and to compute such interest from the date the said performance of services were first commenced by the plaintiff; and with reference to all claims of any suit herein authorized, the decree of the court shall be in full settlement thereof.

Sec. 7. That upon final determination of any suit instituted under this act, the Court of Claims shall decree such amount or amounts as it may find reasonable to be paid the attorney or attorneys, employed by said William Franklin Bourland, for the services and expenses of said attorney or attorneys rendered and incurred, such reasonable fees to be based upon a quantum meruit: *Provided,* That in no case shall the aggregate amounts decreed by the Court of Claims for fees be in excess of the amount stipulated in the contract of employment: *Provided further,* That any expenses incurred by the attorney or attorneys and paid out of tribal funds shall be deducted from the amount so awarded by the court for expenses.

With the following committee amendment:

Strike out all after the enacting clause and insert:
"That the Secretary of the Interior be, and he is hereby, authorized and directed to pay, out of any funds in the United States Treasury belonging to the Chickasaw Nation not otherwise appropriated, the sum of \$1,000 to William F. Bourland in full payment for services as a delegate of said nation to Washington from January 1 to June 20, 1910, inclusive."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of William F. Bourland."

CONGRESS CONSTRUCTION CO.

The Clerk called the next bill, H. R. 8586, for the relief of George W. Mason, trustee for the Congress Construction Co.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3113) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George W. Mason, trustee for the Congress Construction Co., of Chicago, Ill., the sum of \$3,335.51 in full settlement of the claim of said company against the United States for increased cost of labor incurred due to increase of wages at the request of Government officers and/or to the National Reconstruction Administration and/or the President's reemployment agreement in the performance by said company of contract with the United States Engineers Office known as W-559-eng-2933 dated September 29, 1932, for the construction of dikes and revetment at Walker's Bar, Ohio River: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. COSTELLO. Mr. Speaker, I offer an amendment to make the Senate bill conform to the House bill.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: After the words "sum of", on page 1, line 7, strike out "\$3,335.51", and insert in lieu thereof, "\$6,402.60."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed.

A similar House bill and a motion to reconsider were laid on the table.

GEORGIA MARBLE CO.

The Clerk called the next bill, H. R. 8633, for the relief of the Georgia Marble Co.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3092) may be considered in lieu of the House bill.

There being no objection the Clerk read the Senate bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Georgia Marble Co., of Tate, Ga., the sum of \$8,338.88 in full settlement of the claim of said company against the United States for increased cost of labor incurred due to the National Recovery Administration and/or the President's reemployment agreement and/or the applicable approved code in the performance of its contract with the War Department dated July 1, 1933, for furnishing certain quantities of different-type headstones: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill and a motion to reconsider were laid on the table.

KATE DURHAM THOMAS

The Clerk called the bill (H. R. 8643) for the relief of Kate Durham Thomas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Kate Durham Thomas, of Charlotte, N. C., widow of Henry C. Thomas, late an agent in charge in the United States Secret Service, who died as a result of injuries received while engaged in an official investigation.

With the following committee amendments:

Page 1, line 8, after the word "died", insert "August 17, 1936."

Page 1, line 9, after the word "received" insert "in an automobile accident near Sanford, N. C."

Page 1, line 10, strike out the period, insert a colon, and the following: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to; and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUGH H. NEWELL

The Clerk called House Joint Resolution 146, granting insurance payments to Hugh H. Newell.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay, out of the appropriation for military and naval insurance, to Hugh H. Newell (claim No. C-1271394) the monthly payments of \$57.50 each due him from January 9, 1918, under certificate or policy of war-risk insurance granted by the United States to him under the provisions of article IV, section 400, of the War Risk Insurance Act, as amended October 6, 1917, on account of total permanent disability incurred by him in line of duty in active wartime service.

With the following committee amendments:

Page 1, line 7, strike out "\$57.50" and insert "\$25."

Page 1, line 8, after the word "under" strike out the remainder of the line, and lines 9, 10, and 11, and all of line 1 on page 2, and insert the following: "the terms of section 401 of the War Risk Insurance Act, as amended June 25, 1918, and December 24, 1919, on account of total permanent disability existing at time of discharge and during the period he was protected under the provisions of the War Risk Insurance Act."

The committee amendments were agreed to and the joint resolution, as amended, was ordered to be engrossed and read

a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

QUIRINO G. POLANCO

The Clerk called the bill (H. R. 8898) for the relief of Quirino G. Polanco.

The SPEAKER. Is there objection?

Mr. COSTELLO and Mr. HANCOCK of New York objected and the bill was recommitted to the Committee on Immigration and Naturalization.

JOHN BODROG

The Clerk called the bill (H. R. 5059) for the relief of John Bodrog.

Mr. COSTELLO and Mr. HALLECK objected and the bill was recommitted to the Committee on Immigration and Naturalization.

ELIZABETH VRESH ET AL.

The Clerk called the bill (H. R. 6820) for the relief of Elizabeth Vresh (Yalga Vres), her son, Frederick Vresh, and her daughter, Sylvia Vresh Bronowitz.

Mr. COSTELLO and Mr. HANCOCK of New York objected and the bill was recommitted to the Committee on Immigration and Naturalization.

STANLEY KOLITZOFF AND MARIE KOLITZOFF

The Clerk called the bill (H. R. 8275) for the relief of Stanley Kolitzoff and Marie Kolitzoff.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of Labor is directed to cancel forthwith the outstanding warrant for arrest, order of deportation, warrant of deportation, and bond, if any, in the case of aliens Stanley Kolitzoff and Marie Kolitzoff, insofar as such future warrants or orders are based on the alleged unlawful entry of such aliens into the United States prior to the enactment of this act. Hereafter, for the purposes of the immigration and naturalization laws, such aliens shall be considered to have been at Northport, Wash., on July 14, 1936, lawfully admitted to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

J. W. BEAMS

The Clerk called the bill (H. R. 1141) for the relief of J. W. Beams.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500 to J. W. Beams, of Barboursville, Ky., in full settlement of all claims against the Government of the United States for permanent physical injuries suffered by him on June 14, 1934, when a truck in which he was riding on Kentucky State Highway No. 80, near Hyden, Ky., was forced to leave the highway and overturned, by reason of the negligence of the driver of a four-mule team and wagon which was operated by and in connection with the Civilian Conservation Corps, in blocking the highway: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 8, strike out the words "permanent physical."

Page 2, line 3, strike out the proviso and insert "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

FRIEDA WHITE

The Clerk called the bill (H. R. 7855) for the relief of Frieda White.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frieda White, Marked Tree, Ark., the sum of \$10,000. Such sum shall be in full settlement of all claims against the United States on account of damages sustained by the said Frieda White resulting from the death of her husband, Frank White, who was killed by J. L. Kidd, Federal Alcoholic Tax Unit agent, on the 8th day of June 1937, near Marked Tree, Ark.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000. Such sum shall be" and insert "\$5,000".

Page 1, line 10, strike out "was killed" and insert "died of wounds inflicted".

Page 2, line 5, after the word "claim", insert "and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BEN L. KESSINGER AND M. CARLISLE MINOR

The Clerk called the bill (H. R. 7987) for the relief of Ben L. Kessinger and M. Carlisle Minor.

Mr. HANCOCK of New York and Mr. COSTELLO objected, and the bill was recommitted to the Committee on Claims.

LONG BELL LUMBER CO.

The Clerk called the next bill, H. R. 8193, for the relief of the Long Bell Lumber Co., Ponca City, Okla.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Long Bell Lumber Co., of Ponca City, Okla., the sum of \$177.10 in full settlement of all claims against the United States for losses incurred in delivering certain material used in fencing the Kaw City Cemetery at Washunga, Okla., under the jurisdiction of the Pawnee Indian Agency: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent, attorney, or attorneys on account of services rendered in connection with said claim. It shall be unlawful for any agent, attorney, or attorneys to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out the wording of the bill beginning with the word "*Provided*" in lines 10 and 11, page 1, and insert in lieu thereof the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the Long Bell Lumber Co."

ROSCOE B. HUSTON

The Clerk called the next bill, H. R. 8375, for the relief of Roscoe B. Huston.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Roscoe B. Huston, postmaster at Detroit, Mich., with the sum of

\$20,444.90, representing the amount of public funds and property lost in the burglary of North End Station of the post office at Detroit, Mich., on December 8, 1935, such loss having resulted from no fault or negligence on the part of said postmaster, as determined by the Postmaster General under a provision in title 39, United States Code, section 49.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARGARET B. NONNENBERG

The Clerk called the next bill, H. R. 8567, for the relief of Margaret B. Nonnenberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret B. Nonnenberg, of Wilkinsburg, Pa., the sum of \$3,565.76 in full settlement of all claims against the United States for personal and bodily injuries sustained by her on November 16, 1936, at Pittsburgh, Pa., when the automobile in which she was a passenger was struck by a Government Plymouth sedan, operated by a Government employee in connection with the Civilian Conservation Corps, while the said operator was in the performance of his duty: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 8, strike out the words "and bodily."

Page 1, line 9, strike out the word "at" and insert "on Baum Boulevard."

Page 1, lines 11 and 12, strike out the words "by a Government employee."

Page 2, line 1, strike out the words "while the said operator was in the performance of his duty."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREIGN PROPAGANDA AGENCIES—CONFERENCE REPORT

Mr. SUMNERS of Texas, from the Committee on the Judiciary, submitted a conference report and statement on the bill (H. R. 1591) to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes, for printing under the rule.

PRIVATE CALENDAR

The SPEAKER. The Clerk will call the next bill on the Private Calendar.

GUS VAKAS

The Clerk called the next bill, H. R. 8683, for the relief of Gus Vakas.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gus Vakas, the sum of \$5,000 in full and final settlement of all claims against the Government of the United States on account of the death of his son, Pete Vakas, who died August 21, 1937, from injuries received while confined as a prisoner in the National Training School for Boys at Washington, D. C.

With the following committee amendments:

In line 5, after the name "Vakas", insert "of Washington, D. C."

In line 6, strike out the figures "\$5,000" and insert "\$2,500."

In line 9, strike out the words "while confined as a prisoner" and insert "in line of his duty while confined."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. G. BUCKLIN

The Clerk called the next bill, H. R. 8744, for the relief of J. G. Bucklin.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. G. Bucklin, the sum of \$730.50 in full settlement for the destruction of 243 turkey eggs owned by the said J. G. Bucklin, the loss having been caused by blasting in connection with a project of the Works Progress Administration in Rehoboth, Mass.

With the following committee amendments:

In line 5, after the name "Bucklin", insert "of Rehoboth, Mass.,". In line 6 strike out the figures "\$730.50" and insert "\$516.12."

In line 6, also, after the word "settlement", insert "of his claim against the United States."

In lines 7 and 8 strike out the words "owned by the said J. G. Bucklin, the loss having been."

At the end of the bill add: "on June 3, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FILOMENO JIMINEZ AND FELICITAS DOMINGUEZ

The Clerk called the next bill, H. R. 9200, for the relief of Filomeno Jiminez and Felicitas Dominguez.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Filomeno Jiminez the sum of \$150 and to Felicitas Dominguez the sum of \$900 in full satisfaction of their claims against the United States to land within the Nambe Indian Reservation, N. Mex., title to which is in the United States although the lands have been occupied by claimants and their predecessors for more than 60 years: *Provided*, That no payment shall be made hereunder until the Secretary of the Interior shall have certified that said Filomeno Jiminez and Felicitas Dominguez have entered into an agreement satisfactory to him to vacate the said lands within a specified period after payment shall have been made: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

C. O. HALL

The Clerk called the next bill, H. R. 9214, for the relief of C. O. Hall.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. O. Hall, postmaster at Sullivan, Ind., the sum of \$108.87. Such sum represents the amount of rent which the said C. O. Hall (through no fault on his part) personally was obliged to pay for post-office quarters in Sullivan, Ind., for the period July 17, 1935, to July 31, 1935, inclusive.

With the following committee amendments:

In line 6, strike out the period after the figures, insert a comma, strike out the words "such sum represents" in lines 6 and 7, and insert in lieu thereof "in full satisfaction of his claim against the United States for."

In lines 7 and 8, strike out the words "the said C. O. Hall (through no fault on his part) personally" and insert "he."

At the end of the bill strike out the period, insert a comma, and add: "and which payment was disallowed by the General Account-

ing Office as the lease for said quarters had expired and no authority of law existed for payments at the prior rate: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. COCHRAN. Mr. Speaker, I rise in opposition to the amendments.

Mr. Speaker, I offer the pro forma amendment in order to get the floor. I regret the necessity but I feel that the House should be advised in advance of some bills that are on the calendar and will soon be reached. I know that what I am about to say will probably cause me to be criticized by some, but there is a principle involved that should not go unnoticed. Let me make it plain it is the principle that I object to and I do not now discuss the merits of the bills. I know this, it is not a precedent, because this House years ago, in omnibus pension bills has increased the pension of widows, not only of privates but of officers of the Army, Navy, and Marine Corps, but the practice is not common for the committee to pick out a few cases and report the bills individually. No doubt the change is due to the attitude of the President in voicing his objection to increases in private pensions.

On the calendar today starting with No. 868 and ending with No. 878, are 11 bills increasing the pensions of widows and officers of the Army, Navy, Marine Corps, and a former commandant of the Coast Guard to over \$100 a month. One of the bills or a companion bill has already passed the Senate, and when it passed it carried a pension of \$5,000 a year. This was for the widow of Maj. Gen. Hugh Scott. The House committee reduced the amount to \$1,200 a year.

The bills I refer to follow: Increase in pensions for Mrs. Helen K. Snowden, widow of Rear Admiral Thomas Snowden; for Mrs. Augusta M. Coontz, widow of Admiral Robert E. Coontz; for Mrs. Mary M. Scott, widow of Maj. Gen. Hugh Scott; for Mrs. Elizabeth P. Menoher, widow of Maj. Gen. Charles T. Menoher; for Mrs. Clara P. Billard, widow of Rear Admiral Frederick C. Billard; for Mrs. Nellie J. Day, widow of Brig. Gen. Frederick R. Day; for Mrs. Grizelda H. Hobson, widow of Admiral Richmond P. Hobson; for Mrs. Harriet L. Liggett, widow of Lt. Gen. Hunter Liggett; for Mrs. Isabelle Johnston, widow of Maj. Gen. William H. Johnston; for Mrs. Thomas H. Jackson, widow of Brig. Gen. Thomas H. Jackson; and for Mrs. Jeannette W. Moffett, widow of Rear Admiral William A. Moffett.

While the original bills in some instances provided for more, the committee has reported each with a recommendation that each of the widows mentioned receive \$1,200 a year in lieu of that which they are now receiving.

I was personally acquainted with practically every one of the officers. Admiral Coontz was born and reared a few miles from my home and was my personal friend. I mention this to show, or rather impress upon the membership, that it is the principle that I attack.

Mr. Speaker, I submit, if we are going to increase the pensions of the widows of Army, Navy, Marine Corps, and Coast Guard officers we should increase all, not a few. I accept the statement of those sponsoring the bills that some of the ladies are destitute, but there are many widows with young children of privates and officers who served their country who are likewise destitute. This idea of bringing in bills individually to increase the pension of widows of officers is not sound. We should bring in a general bill or none at all.

Some of the officers whose widows you seek to recognize have outstanding records, occupied positions of great importance, and distinguished themselves in time of war. That I do not deny, but I again say the idea of selecting a few is not sound. Let the committee bring in a bill that will treat all widows alike.

Mr. Speaker, I am unwilling to have passed by unanimous consent 11 bills, singling out the widows of 11 soldiers, sailors, and marines, regardless of what their rank may be or

what their service might have been. We have men who served as privates, who distinguished themselves in the World War, who were killed in action or since the war have passed away who are entitled to be recognized if any are recognized for an increase.

Mr. GEARHART. Will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from California.

Mr. GEARHART. Do I understand the gentleman contends for a principle which will force pensions on women who are not asking for them?

Mr. COCHRAN. No; but I do not think we should grant special pensions to every widow who asks for it, who can get a special bill introduced in her behalf.

Mr. GEARHART. Does the gentleman want us to understand he is for the principle of permitting the wives of the heroes of this Republic to starve on the byways and highways of this country?

Mr. COCHRAN. No. I stand for the principle of treating one and all alike.

Mr. Speaker, the widow of no hero of this Republic is going to starve. We do not let people in this country starve, whether they be the widows of our soldiers and sailors or the widows of those who never served in the Military or Naval Establishment. It is true that these ladies are not living today as they did when their husbands were alive, but the same applies to hundreds of thousands of widows in our country.

I have urged the Secretary of War and the Secretary of the Navy to have the officers and men work out a reasonable retirement system by which they will make monthly contributions toward that system. There is no reason why it cannot be done, and if it is their desire, they can submit suggestions that will also provide for reasonable pay for their widows in event of their death. Of course, they must share the expense of such a system the same as the civilian employees of the Government do. The question is now being advanced to take care of the widows of the civilian employees, and no doubt that will be worked out, but that will require an increase in their monthly contribution toward their retirement fund.

The practice of granting special recognition to soldiers and their widows that prevailed for many years was discontinued by President Roosevelt when by the use of the pocket veto he placed his stamp of disapproval on several thousand cases included in 10 or 12 omnibus bills. The President did not announce his views in writing, but we can assume he felt it was unfair to signal out a few for special consideration. I entertain the same view, and for that reason I propose to prevent the passage of the 11 bills referred to when they are reached on the calendar.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PYRAMID LAKE INDIAN RESERVATION, NEV.

The Clerk called the next bill, S. 840, to authorize the Secretary of the Interior to issue patents for certain lands to certain settlers in the Pyramid Lake Indian Reservation, Nev.

Mr. SHEPPARD and Mr. RICH objected, and, under the rule, the bill was recommitted to the Committee on Indian Affairs.

PRESENTATION OF DISTINGUISHED SERVICE MEDAL TO REAR ADMIRAL REGINALD VESEY HOLT, BRITISH NAVY, AND OTHERS

The Clerk called the next bill, H. R. 9649, authorizing the President to present the Distinguished Service Medal to Rear Admiral Reginald Vesey Holt, British Navy, and to Capt. George Eric Maxia O'Donnell, British Navy, and the Navy Cross to Vice Admiral Lewis Gonne Eyre Crabbe, British Navy, and to Lt. Comdr. Harry Douglas Barlow, British Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute the bill S. 3522 for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the President is authorized to present the Distinguished Service Medal to Rear Admiral Reginald Vesey Holt, British Navy, and to Capt. George Eric Maxia O'Donnell, British Navy, in recognition of their initiative and courageous action in proceeding immediately with unselfish disregard of their own safety to render assistance in recovering the survivors of the United States ship *Panay* in the face of threatened force and armed opposition; and the Navy Cross to Vice Admiral Lewis Gonne Eyre Crabbe, British Navy, and to Lt. Comdr. Harry Douglas Barlow, British Navy, for their voluntary and unstinted cooperation in assisting with the recovery of the survivors of the United States ship *Panay*.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 9649) was laid on the table.

PENSION TO HELEN K. SNOWDEN

The Clerk called the next bill, H. R. 1788, granting an increase of pension to Helen K. Snowden.

Mr. COCHRAN, Mr. TABER, Mr. HANCOCK of New York, and Mr. RICH objected; and, under the rule, the bill was recommitted to the Committee on Pensions.

PENSION TO AUGUSTA M. COONTZ

The Clerk called the next bill, H. R. 2775, granting a pension to Augusta M. Coontz.

Mr. COCHRAN, Mr. HANCOCK of New York, and Mr. TABER objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

PENSION TO MARY MERRILL SCOTT

The Clerk called the next bill, H. R. 3368, granting a pension to Mary Merrill Scott.

Mr. COCHRAN and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

PENSION TO ELIZABETH PAINTER MENOHER

The Clerk called the next bill, H. R. 4584, granting an increase of pension to Elizabeth Painter Menoher.

Mr. COCHRAN and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

PENSION TO CLARA PRENTIS BILLARD

The Clerk called the next bill, H. R. 5272, granting an increase of pension to Clara Prentis Billard.

Mr. COCHRAN and Mr. RICH objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

PENSION TO NELLIE J. DAY

The Clerk called the next bill, H. R. 5613, granting an increase of pension to Nellie J. Day.

Mr. COCHRAN and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

GRIZELDA HULL HOBSON

The Clerk called the next bill, H. R. 8217, granting an increase of pension to Grizelda Hull Hobson.

Mr. COCHRAN and Mr. RICH objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

HARRIET L. LIGGETT

The Clerk called the next bill, H. R. 8316, granting an increase of pension to Harriet L. Liggett.

Mr. COCHRAN and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

ISABELLE JOHNSTON

The Clerk called the next bill, H. R. 9054, granting a pension to Isabelle Johnston.

Mr. COCHRAN and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

MRS. THOMAS H. JACKSON

The Clerk called the next bill, H. R. 8155, granting an increase of pension to Mrs. Thomas H. Jackson.

Mr. COCHRAN and Mr. RICH objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

JEANNETTE W. MOFFETT

The Clerk called the next bill, H. R. 9926, granting an increase of pension to Jeannette W. Moffett.

Mr. COCHRAN and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Pensions.

GRANT H. PEARSON, G. W. PEARSON, JOHN C. RUMOHR, AND WALLACE ANDERSON

The Clerk called the next bill, H. R. 1744, for the relief of Grant H. Pearson, G. W. Pearson, John C. Rumohr, and Wallace Anderson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$923.60 to Grant H. Pearson, \$718.25 to G. W. Pearson, \$1,329.10 to John C. Rumohr, and \$670.30 to Wallace Anderson, in full settlement of all claims against the Government of the United States that the said Grant H. Pearson, G. W. Pearson, John C. Rumohr, and Wallace Anderson may have for the loss of their personal effects when same were destroyed by the fire that burned the Government ranger cabin in which they lived in Mount McKinley National Park on or about May 11, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "appropriated" strike out the remainder of line 5 and all of lines 6 and 7, and insert "to Grant H. Pearson the sum of \$461.80, to G. W. Pearson the sum of \$404.88, to John C. Rumohr the sum of \$664.55, and to Wallace Anderson the sum of \$335.15, all of McKinley Park, Alaska."

Page 2, line 2, after the word "States" strike out "that the said Grant H. Pearson, G. W. Pearson, John C. Rumohr, and Wallace Anderson may have."

Page 2, line 7, after the word "on" strike out "or about."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECORDING & COMPUTING MACHINES CO., OF DAYTON, OHIO

The Clerk called the next bill, H. R. 2351, to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim or claims of the Recording & Computing Machines Co., of Dayton, Ohio.

Mr. COSTELLO and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

VERACUNDA O'BRIEN ALLEN

The Clerk called the next bill, H. R. 2650, for the relief of Veracunda O'Brien Allen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Veracunda O'Brien Allen, of Lowell, Mass., and the United States Employees' Compensation Commission is hereby authorized to receive and consider her claim, under the remaining provisions of said act, for disability due to metal poisoning contracted by reason of her employment in the War Department as a skilled laborer at the Newton Manufacturing Co., Lowell, Mass., between January 3, 1918, and January 15, 1919: *Provided*, That claim hereunder shall be made within 6 months after the approval of this act: *Provided further*, That no benefit shall accrue prior to the approval of this act.

With the following committee amendment:

Page 1, line 12, after the word "disability", insert "alleged to be."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BARBER-HOPPEN CORPORATION

The Clerk called the next bill, H. R. 4232, for the relief of Barber-Hoppen Corporation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, to Barber-Hoppen Corporation, a corporation organized under the laws of the State of New Jersey, the sum of \$375, in full compensation for additional service rendered in moving the office of the collector of internal revenue of the fifth district of New Jersey in the city of Newark in said State.

With the following committee amendments:

Page 1, line 4, after the word "pay" insert "out of any money in the Treasury not otherwise appropriated."

Line 6, after the word "corporation", strike out the remainder of line 6 and insert "of Newark."

Line 7, after the word "full", strike out the word "compensation" and insert "satisfaction of its claim against the United States."

Line 11, after the word "State", insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. B. E. HENNIGAN

The Clerk called the next bill, H. R. 5379, for the relief of Mrs. B. E. Hennigan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. B. E. Hennigan the sum of \$5,000. Such sum shall be in full satisfaction of all claims against the United States for damages for the death of her husband, B. E. Hennigan, from injuries received by him in line of duty while employed as a county administrator for the Federal Emergency Relief Administration, while unloading mules at the stockyards in Oklahoma City, Okla., on February 15, 1935.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That in the administration of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended by sundry acts, including the act of February 15, 1934 (48 Stat. 351), the United States Employees' Compensation Commission is hereby authorized and directed to extend the benefits of said acts to Mrs. B. E. Hennigan, of Ada, Okla., on behalf of herself and her dependent minor children, as the widow and children of B. E. Hennigan, who sustained injuries in the performance of his duties as county administrator of Pontotoc County, Okla., for the Federal Emergency Relief Administration, which resulted in his death on February 14, 1935: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act."

Mr. HALLECK. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. HALLECK to the committee amendment: On page 2, line 13, after the comma, strike out the word "who" and insert "provided it is established that the said B. E. Hennigan."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mrs. B. E. Hennigan and her dependent minor children."

EDWARD J. THOMPSON

The Clerk called the next bill, H. R. 6327, for the relief of Edward J. Thompson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to approve the account and claim of Edward J. Thompson in the sum of \$741.80, arising out of professional legal services given and rendered from August 23, 1933, up to and including October 17, 1933, to the State of Pennsylvania Advisory Board, Federal Public Works Administration of the United States Government;

Sec. 2. That by reason of the services rendered as above mentioned, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$741.80 to pay the account and claim of the said Edward J. Thompson: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$741.80 to Edward J. Thompson, of Phillipsburg, Pa., in full settlement of all claims against the United States for legal services given and rendered from August 23, 1933, up to and including October 17, 1933, to the State of Pennsylvania Advisory Board, Federal Public Works Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES T. BURNETT, DECEASED

The Clerk called the next bill, H. R. 6374, to extend the benefits of the Federal Compensation Act, approved September 7, 1916, as amended, to the widow of James T. Burnett, deceased employee of the Works Progress Administration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby extended to the widow of James T. Burnett, deceased employee of the Works Progress Administration, who died as a result of injuries sustained while performing duties upon a project approved by and under the control of the Works Progress Administration: *Provided*, That no benefits shall accrue prior to the approval of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the benefits of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, and as limited by the provisions of section 2 of the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), are hereby extended to Lena R. Burnett, of Houston, Tex., widow of James T. Burnett, who died as the result of injuries sustained on April 25, 1936, while in the performance of his duty as project superintendent, on W. P. A. works project No. 1525, Rosenberg, Tex., of the Works Progress Administration, and who shall be held to have been a civil employee of the United States at the time of such injuries: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Lena R. Burnett."

GLADYS LEGROW

The Clerk called the next bill, H. R. 6508, for the relief of Gladys Legrow:

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gladys Legrow, of Chelsea, Mass., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries received by the said Gladys Legrow, when struck, on October 8, 1934, in Medford, Mass., by a United States mail truck.

With the following committee amendments:

In lines 6 and 7, strike out the figures and words "\$5,000. The payment of such sum shall be" and insert "\$750."

In line 9, strike out the words "the said Gladys Legrow," and insert "her."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENESEE BREWING CO., INC.

The Clerk called the next bill, H. R. 6713, for the relief of Genesee Brewing Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Genesee Brewing Co., Inc., of Rochester, N. Y., out of any money in the Treasury not otherwise appropriated, the sum of \$1,050, representing the amount paid for fermented-malt-liquor stamps which were canceled under protest to constitute a payment of tax on fermented malt liquor of the volume of 210 barrels, which was destroyed and rendered unsalable on July 26, 1936.

With the following committee amendments:

In line 7, strike out the word "representing" and insert "in full satisfaction of its claim against the United States for refund of."

In line 8, after the word "protest" insert "by the company, on July 26, 1936."

In lines 10 and 11, strike out the words "which was destroyed and rendered unsalable on July 26, 1936," and insert "although the beer had been destroyed on May 12, 1936, when the tank containing it collapsed: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MURIEL C. YOUNG

The Clerk called the next bill, H. R. 7429, for the relief of Muriel C. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Muriel C. Young, of Marshfield, Oreg., the sum of \$5,227.03, in full satisfaction of her claim against the United States for damages for personal injuries suffered on September 6, 1936, when struck by motor truck USDI 5386 owned by the United States and driven by C. L. Creasy, an employee of the National Park Service: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "\$5,227.03" and insert "\$2,250."

Page 1, line 7, strike out the words "for damages."

Page 1, line 10, strike out the name "C. L. Creasy."

Page 1, line 11, after the word "Service" insert the words "on Highway No. 99E, near Salem, Oreg."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. ROY BLESSING

The Clerk called the next bill, H. R. 7460, for the relief of Mr. and Mrs. Roy Blessing.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, the sum of \$5,000 to Mr. and Mrs. Roy Blessing in full compensation for personal injuries sustained by Tracy Blessing as the result of an accident involving a Government truck, operated in connection with the Civilian Conservation Corps, near New Hampshire, Mo., on December 5, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

In lines 5 and 6, strike out the wording "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and insert in lieu thereof "not otherwise appropriated."

In line 7, strike out the figures "\$5,000" and insert in lieu thereof "\$2,500."

In line 7, after the name "Blessing", insert "of New Hampton, Mo."

In lines 7 and 8, strike out the words "compensation for personal injuries sustained by" and insert in lieu thereof "satisfaction of all claims against the United States because of the death of their son."

Strike out the wording of the bill after the date in line 11 and insert in lieu thereof the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRETING MANUFACTURING CO.

The Clerk called the bill (H. R. 7817) for the relief of C. G. Bretting Manufacturing Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,536.66 to the C. G. Bretting Manufacturing Co., of Ashland, Wis., in payment for labor, repairs, and materials furnished during the fiscal year 1935 for use of the Bad River sawmill and house project under the jurisdiction of the Lac du Flambeau Indian Agency, Ashland, Wis., which were procured without compliance with sections 3709 and 3744 of the United States Revised Statutes.

With the following committee amendments:

Page 1, line 7, strike out the word "payment" and insert "full satisfaction of its claim against the United States for building a hoist, and", and in line 9 strike out "during the fiscal year 1935" and insert "from April 14 to June 27, 1936."

Page 2, line 3, after the word "statutes", insert "requiring a written contract with the lowest bidder for performance of such work: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating

the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BROOKS-CALLAWAY CO.

The Clerk called the bill (H. R. 7890) for the relief of Brooks-Callaway Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$28,934.59 to Brooks-Callaway Co., of Atlanta, Ga., for losses growing out of a contract with the War Department (No. W-1092 Eng. 3061) on account of the National Industrial Recovery Act, pursuant to the report submitted to Congress dated June 12, 1937, by the Acting Comptroller General of the United States in response to Private Law No. 673, Seventy-fourth Congress.

With the following committee amendments:

Page 1, line 3, strike out the word "an" and insert "and."

Page 2, at the end of line 1, insert: "This act is not to prejudice the right of the claimant company to recover any additional amount which can be satisfactorily proved to the Comptroller General to also represent losses growing out of this same contract on account of the National Industrial Recovery Act: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE PRIVATE CALENDAR—FRED J. CHRISTOFF

The Clerk called the bill (H. R. 8241) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Fred J. Christoff.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to extend to Fred J. Christoff, on account of injuries sustained while working in his capacity as barracks policeman at the United States Military Academy, the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the limitations of time in sections 15 to 20, both inclusive, of the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916, as amended, are hereby waived in favor of Fred J. Christoff, of Highland Falls, N. Y., and the United States Employees' Compensation Commission is hereby authorized to receive and consider his claim on account of injury resulting in the loss of an eye allegedly sustained while in the performance of his duty as an employee of the United States Military Academy, War Department, West Point, N. Y., during February 1933, under the remaining provisions of said act: *Provided*, That no benefits shall accrue prior to the approval of this act: *Provided further*, That claim hereunder shall be filed within 6 months from the approval of this act."

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended so as to read: "A bill for the relief of Fred J. Christoff."

N. W. LUDOWESE

The Clerk called the bill (H. R. 8916) for the relief of N. W. Ludowese.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to N. W. Ludowese, of Williston, N. Dak., the sum of \$104.60 in full satisfaction of his

claim against the United States for travel expenses incurred during August 1936 in performing his official duties as an employee of the Soil Conservation Service, Department of Agriculture, which was disallowed by the Comptroller General.

With the following committee amendments:

Page 1, line 6, strike out "\$104.60" and insert "\$188.64."

Line 8, strike out "August" and insert "September and October."

At the end of the bill strike out the period and insert the following: "as the travel was not performed in a personally owned automobile: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Sec. 2. That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of W. F. Cramer, disbursing clerk, Treasury Department, symbol 3902-52, with the amount of \$73, representing travel expenses paid to N. W. Ludowese for mileage from August 15 to August 31, 1936.

The committee amendments were agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT E. LEE HOTEL

The Clerk called the bill (H. R. 9374) for the relief of the Robert E. Lee Hotel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Robert E. Lee Hotel, of Jackson, Miss., the sum of \$200, being a refund of moneys paid by said Robert E. Lee Hotel to the Treasury of the United States on account of the fraudulent issuance of post-office money orders by Harry G. Peek, postmaster at Sondheim, La.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, after "\$200", strike out the remaining portion of line 6 and lines 7, 8, 9, and 10, and insert in lieu thereof the following: "in full satisfaction of its claim against the United States for a refund of the value of one invalid postal money order fraudulently issued by Harry G. Peek, former postmaster at Sondheim, La., which sum has heretofore been paid to the United States.

At the end of the bill insert a new section, as follows:

"Sec. 2. Nothing in this act shall be construed to prevent the recovery by the United States of funds embezzled by the said Harry G. Peek, or on money orders unlawfully issued by him, except that which is the subject of this claim."

The committee amendments were agreed to, and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAMUEL L. DWYER

The Clerk called the bill (S. 2417) for the relief of Samuel L. Dwyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Samuel L. Dwyer, of Palmdale, Ala., the sum of \$2,500, in full satisfaction of all his claims against the United States for damages sustained by him for medical expense and by his 5-year-old son, Luther Allen Dwyer, for permanent disfigurement, when the explosion of a dynamite cap with which the latter was playing, after finding it on the homestead of his father where said cap had been negligently left by employees of the Resettlement Administration engaged in clearing such land, blew off two fingers of his left hand below the first joint: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 2, line 2, after the word "land," strike out the comma and the words "blew off two fingers of his left hand below the first joint."

The committee amendment was agreed to, and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK PINGITORE

The Clerk called the next bill, H. R. 5382, for the relief of Frank Pingitore, alias Francesco Pingitore.

The SPEAKER. Is there objection?

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule the bill was recommitted to the Committee on Immigration and Naturalization.

TO AMEND THE IMMIGRATION ACT OF MARCH 4, 1929

The Clerk called the next bill, H. R. 6081, to amend the Immigration Act of March 4, 1929, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, that provision of section 1 (a) of the Immigration Act of March 4, 1929 (45 Stat. 1512), as amended June 24, 1929 (46 Stat. 41; U. S. C., title 8, sec 180), which excludes from admission to the United States any alien who had been "deported in pursuance of law" shall not hereafter be held to apply to Edward Malm, who is the husband of Laura Malm, an American citizen, on account of his alleged failure to receive permission from the Secretary of Labor to apply for admission to the United States prior to his arrival at New York on November 9, 1935, and his admission with quota visa No. 3, issued by the American Consul in Tallinn, Estonia, October 9, 1935, and Edward Malm shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, N. Y., on November 9, 1935.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read "A bill for the relief of Edward Malm."

HENRIETTA VENDEMMIA

The Clerk called the next bill, H. R. 6306, to authorize the cancelation of deportation proceedings in the case of Henrietta Vendemmia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation in the case of Henrietta Vendemmia, wife of Francisco Vendemmia, a naturalized American citizen, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Henrietta Vendemmia shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCESCO CASTELLI

The Clerk called the next bill, H. R. 6778, for the relief of Francesco Castelli.

The SPEAKER. Is there objection?

Mr. COSTELLO and Mr. HANCOCK of New York objected; and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

MARY M'COMBE

The Clerk called the next bill, H. R. 7118, for the relief of Mary McCombe.

The SPEAKER. Is there objection?

Mr. COSTELLO and Mr. HANCOCK of New York objected; and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

GORDON L. CHEASLEY

The Clerk called the next bill, H. R. 7297, for the relief of Gordon L. Cheasley.

The SPEAKER. Is there objection?

Mr. MOTT and Mr. HANCOCK of New York objected; and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LEON SOBEL

The Clerk called the next bill, H. R. 7304, for the relief of Leon Sobel.

The SPEAKER. Is there objection?

Mr. COSTELLO and Mr. HANCOCK of New York objected; and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

UNITED STATES COAST GUARD ACADEMY

Mr. BLAND. Mr. Speaker, I ask unanimous consent to file for printing at this point in the RECORD a report of the Board of Visitors of the Coast Guard Academy, consisting of Members of the Senate and the House.

The SPEAKER. Without objection, the report will be incorporated in the CONGRESSIONAL RECORD at this point.

There was no objection.

The matter referred to is as follows:

To the President of the Senate.

To the Speaker of the House of Representatives.

GENTLEMEN: The act approved April 16, 1937, authorizing the establishment of a permanent instruction staff at the United States Coast Guard Academy, provides in section 7, in part, as follows:

"Sec. 7. In addition to the advisory board there shall be appointed in January of each year a Board of Visitors to the Coast Guard, which shall consist of two Senators and three Members of the House of Representatives appointed by the chairmen of the committees of the Senate and the House of Representatives, respectively, having cognizance of legislation pertaining to the Coast Guard Academy. The chairman of such committees shall be ex officio members of the Board.

"(b) Such Board shall visit the Coast Guard Academy annually on a date to be fixed by the Secretary of the Treasury."

Pursuant to the above-mentioned section, the Secretary of the Treasury designated Wednesday, April 27, as the date for the first annual visit of this Board. The membership of the Board of Visitors consists of the following:

Senators: Hon. ROYAL S. COPELAND, of New York, chairman, Committee on Commerce, United States Senate, ex officio member; Hon. FRANCIS T. MALONEY, of Connecticut; Hon. ERNEST W. GIBSON, of Vermont.

Members of the House of Representatives: Hon. SCHUYLER O. BLAND, of Virginia, chairman, Committee on Merchant Marine and Fisheries, House of Representatives, ex officio member; Hon. LINDSAY C. WARREN, of North Carolina; Hon. EDWARD J. HART, of New Jersey; Hon. RICHARD J. WELCH, of California.

The members of the Board, with the exception of the Honorable LINDSAY C. WARREN, of North Carolina, and RICHARD J. WELCH, of California, who were unable to make the trip, left Washington at 8 p. m. April 26. They arrived at the academy in the morning of the 27th, and enjoyed breakfast at the home of Capt. E. D. Jones, superintendent of the academy, and his charming wife. The Board met officially at 10:30 a. m. in the Administration Building, where the superintendent of the academy briefly outlined the history of the Coast Guard Academy and explained the course of instruction. The Board discussed various matters pertaining to the academy, and then made an inspection of the classrooms and laboratories in the Academic Building. At 11:45, the Board reviewed the battalion of cadets, after which the members had luncheon with the cadets.

In the afternoon the Board inspected the academy buildings, equipment, and grounds, and observed the students exercising in boats under sail on the Thames River. Later the Board members met cadets of all classes at a tea at the superintendent's quarters. In the evening the members of the Board dined in the officers' mess with the heads of the various departments of the academy.

The act of April 16, 1937, which authorized the Board of Visitors, also provided under section 6 thereof, for an advisory committee consisting of not more than five persons of distinction in the field of education. The law provides that this committee meet at the academy, and also at Coast Guard headquarters in Washington, for the purpose of examining the course of instruction and advising the Secretary of the Treasury relative thereto. Since the committee of educators is actively functioning in regard to the course of instruction at the Coast Guard Academy, the congressional Board did not make a detailed inspection of the curriculum, and accordingly makes no recommendation or suggestion in this vital matter.

The Board was most favorably impressed by every feature of the institution. The academy has a scenic location on the Thames River at New London, Conn., and is a modern establishment built in 1932 at a cost of some \$2,750,000. The Board finds that the buildings, grounds, laboratories, shops, and all other equipment are being well maintained, and believes that the Government may take great pride in the institution.

The academy faculty charged with the academic instruction of the cadets, as well as their training in practical work and discipline, consists of regular line and engineering commissioned officers, commissioned professors, and civilian instructors. The course of study in professional as well as cultural subjects appears to parallel that

of the best engineering colleges. But the Coast Guard cadet is in residence practically 4 full years, and accordingly, on a semester hour basis, completes more work than is required by the average college granting the bachelor of science degree. To a large extent this additional work covers courses in maritime and navigation law and kindred subjects.

The corps of cadets numbers from 130 to 150 per year, sufficient at this time to supply the needs for commissioned officers of the Coast Guard. Cadets are chosen after competitive examinations held throughout the country. The corps of young men impressed the Board as being a fine, upstanding, serious-minded group of young Americans, being efficiently trained for their future responsibilities.

The Board desires to make mention of the cordial reception and hospitable treatment furnished its members by Captain Jones and the other officers of the academy. It was surprised to learn that all official entertainment is undertaken at the expense of the superintendent and other officers. The greater part of the expense is borne by the superintendent. The Board plans to recommend early consideration of a bill to authorize the appropriation of a moderate sum of money for the use of the superintendent in connection with official entertainment at the academy.

Respectfully submitted.

ROYAL S. COPELAND,
Acting Chairman.
FRANCIS T. MALONEY.
ERNEST W. GIBSON.
SCHUYLER O. BLAND.
EDWARD J. HART.

ELLIS REED-HILL,
Secretary to the Board.

PRIVATE CALENDAR

The SPEAKER. The Clerk will call the next bill on the Private Calendar.

CHRISTIAN JOSEF MUELLER

The Clerk called the next bill on the Private Calendar, H. R. 7608, to authorize the cancellation of deportation proceedings in the case of Christian Josef Mueller.

The SPEAKER. Is there objection?

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

MARKO BRALICH ET AL.

The Clerk called the next bill, H. R. 7637, for the relief of Marko Bralich, Anka Bralich, Ivan Bralich, Marija Bralich, and Marijan Bralich.

The SPEAKER pro tempore (Mr. BLAND). Is there objection to the present consideration of the bill?

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

PASQUALE ALTEZZA

The Clerk called the next bill, H. R. 8077, for the relief of Pasquale Altezza.

The SPEAKER pro tempore. Is there objection?

Mr. COSTELLO, Mr. MOTT, and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

SILVIO BONANNI

The Clerk called the next bill, H. R. 8444, for the relief of Silvio Bonanni.

The SPEAKER pro tempore. Is there objection?

Mr. HALLECK and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

AUGUSTIN CIBILIC ET AL.

The Clerk called the next bill, H. R. 8477, for the relief of Mato, Miljenko, Bozo, and Augustin Cibilic or Zibilich.

The SPEAKER pro tempore. Is there objection?

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

PASQUALE LOBRANO

The Clerk called the next bill, H. R. 8589, for the relief of Pasquale Lobrano.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation in the case of Pasquale Lobrano, any provision

of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Pasquale Lohrano shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ALBERT SAINT CLAIR

The Clerk called the next bill, H. R. 8678, for the relief of Albert Saint Clair.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Albert Saint Clair, the father of two American-born children, heretofore issued on the ground that at the time of entry into the United States he was not in possession of an unexpired immigration visa, and thereupon Albert Saint Clair shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, N. Y., as of the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

LOUIS MICHAEL BREGANTIC

The Clerk called the next bill, H. R. 8743, for the relief of Louis Michael Bregantic.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MOTT. I object, Mr. Speaker.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Louis Michael Bregantic heretofore issued on the grounds that on (date unknown) admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude," and thereupon Louis Michael Bregantic shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at (port unknown) on (date unknown). Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by or any admission to citizenship ordered and certificate of naturalization heretofore issued to Louis Michael Bregantic which were predicated upon the claim of lawful admission to the United States for permanent residence on (date unknown) shall hereafter be deemed valid unless the original 7-year period of validity of such declaration of intention has heretofore expired or Louis Michael Bregantic has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH BRUM AND GUSSIE BRUM

The Clerk called the next bill, H. R. 8858, for the relief of Joseph Brum and Gussie Brum.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Joseph Brum and Gussie Brum heretofore issued on the ground that in or about January 1921 admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude," and thereupon said Joseph Brum and Gussie Brum shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, in January 1921. Any declaration of intention to become a citizen or any petition for citizenship heretofore filed by or any admission to citizenship ordered and certificate of naturalization heretofore issued to said Joseph Brum and Gussie Brum, which were predicated upon the claim of lawful admission to the United States for permanent residence in January 1921, shall hereafter be deemed valid unless the original 7-year period of validity of such declaration of intention has heretofore expired or said Joseph Brum and Gussie Brum has heretofore been found otherwise not eligible to such benefit under the naturalization laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALFONSINA MAURINA CORRADINI

The Clerk called the next bill, H. R. 8869, for the relief of Alfonsina Maurina Corradini.

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

SOTERIOS G. STAMOULIS

The Clerk called the next bill, H. R. 9424, for the relief of Soterios G. Stamoulis.

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

JOSEPH PAVICH

The Clerk called the next bill, H. R. 6931, for the relief of Joseph Pavich.

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

PAUL HIRSCHMANN

The Clerk called the next bill, H. R. 7039, for the relief of Paul Hirschmann.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor be, and she is hereby, authorized and directed to cancel the warrant of arrest and the order of deportation against Paul Hirschmann heretofore issued on the grounds that on January 9, 1930, admission to the United States had been fraudulently gained pursuant to the commission of a passport or visa offense which, subsequent to such admission, has heretofore been held by the Attorney General of the United States to be within the purview of "crimes involving moral turpitude," and thereupon Paul Hirschmann shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York City, N. Y., on January 9, 1930.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STEFANO PAGLIARO

The Clerk called the next bill, H. R. 7883, for the relief of Stefano Pagliaro.

Mr. MOTT and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

MIRA FRIEDBERG (MIRA DWORECKA)

The Clerk called the next bill, H. R. 7891, for the relief of Mira Friedberg (Mira Dworecka).

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

DOMENICO MAZZELLA

The Clerk called the next bill, H. R. 7962, for the relief of Domenico Mazzella.

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

ITZHOCK OR ISIDORE FINKELSTEIN AND ROCHEL OR RACHELA FINKELSTEIN

The Clerk called the next bill, H. R. 8418, for the relief of Itzhock or Isidore Finkelstein and Rochel or Rachela Finkelstein.

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

CORRADO ARANCIO

The Clerk called the next bill, H. R. 5345, for the relief of Corrado Arancio.

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

CARLO RESTA

The Clerk called the next bill, H. R. 5868, for the relief of Carlo Resta.

Mr. COSTELLO and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

PAOLO VITO SCAROLA

The Clerk called the next bill, H. R. 6729, for the relief of Paolo Vito Scarola.

Mr. MOTT and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

VICTORIA MAGHEE

The Clerk called the next bill, H. R. 7119, for the relief of Victoria Maghee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Victoria Maghee, born, Mardin, Turkey, September 8, 1911, shall be considered after the passage of this act for the purposes of the immigration and naturalization laws to have legally entered the United States at the port of New York on March 16, 1929, for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ADOLPH ARENDT

The Clerk called the next bill, H. R. 9400, for the relief of Adolph Arendt.

Mr. HALLECK and Mr. MOTT objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

ANTHONY NATALIZIO

The Clerk called the next bill, H. R. 5220, for the relief of Anthony Natalizio.

Mr. MOTT and Mr. HALLECK objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

YANKIEL OWSIANKA, ALIAS JACK SINGER

The Clerk called the next bill, H. R. 8419, for the relief of Yankiel Owsianka, alias Jack Singer.

Mr. COSTELLO and Mr. HANCOCK of New York objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

EXTENSION OF REMARKS

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein letters I have received from William Green, president of the American Federation of Labor, and John Lewis.

The SPEAKER pro tempore (Mr. BLAND). Is there objection to the request of the gentleman from New York?

There was no objection.

PRIVATE CALENDAR

OSKAR HERLINS

The Clerk called the next bill, H. R. 8481, for the relief of Oskar Herlins.

Mr. COSTELLO and Mr. MOTT objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

CESARE GUGLIELMO LEOPOLDO TORRELLI

The Clerk called the next bill, H. R. 8746, for the relief of Cesare Guglielmo Leopoldo Torrelli.

Mr. MOTT and Mr. HALLECK objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

SANTO TEDESCO

The Clerk called the next bill, H. R. 9322, for the relief of Santo Tedesco.

Mr. HANCOCK of New York and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LUIGI MAZZA

The Clerk called the next bill, H. R. 5597, for the relief of Luigi Mazza.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is directed to cancel forthwith the outstanding warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of the alien Luigi Mazza (husband of the lawfully resident alien Maria Mazza and father of Anna Mazza, Rosa Mazza, Maria Mazza, Antonio Mazza, and Vito Mazza, who are citizens of the United States, having been born in the United States, are all minors, and solely dependent for their support and maintenance on the said Luigi Mazza, their father), and is directed not to issue any further such warrants or orders in the case of such alien, insofar as such future warrants or orders are based on the unlawful entry of such alien into the United States prior to the enactment of this act. Hereafter, for the purposes of the immigration and naturalization laws, such alien shall be considered to have been at New York, N. Y., on August 29, 1921, lawfully admitted to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS SAMOLSKI, REBECCA SAMOLSKI, AND MARTIN SAMOLSKI

The Clerk called the next bill, H. R. 7168, for the relief of Louis Samolski, Rebecca Samolski, and Martin Samolski.

Mr. MOTT. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Secretary of Labor is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against Louis Samolski, also known as Leiba Samolski; Rebecca Samolski, also known as Ryka Samolski; and Martin Samolski, also known as Mieczslaw Samolski, heretofore issued on the grounds that admission to the United States had been fraudulently gained; and that they shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence at New York, N. Y.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GIOVANNI RAFFA

The Clerk called the next bill, H. R. 7357, for the relief of Giovanni Raffa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws for admission to the United States for permanent residence, that the provisions of section 3 of the Immigration Act of 1917, as amended, shall not hereafter be held to apply to Giovanni Raffa on account of an offense alleged to have been committed in securing his declaration of intention, if he is found otherwise admissible under the immigration laws, and that hereafter, for the purposes of the immigration and naturalization laws, such alien shall be considered to have been at New York, N. Y., on November 23, 1926, lawfully admitted to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACOB TABAH ET AL.

The Clerk called the next bill, H. R. 7659, to authorize the cancellation of deportation proceedings in the case of Jacob Tabah, wife Esther, and daughters Bertha, Dora, Rosa, and Angela.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the proceedings instituted against Jacob Tabah, his wife Esther, and daughters Bertha, Dora, Rosa, and Angela, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Jacob, Esther, Bertha, Dora, Rosa, and Angela Tabah shall not again be subject to deportation by reason of the same facts upon which the outstanding proceedings rest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DYMTRO, OR JIM, GURAL

The Clerk called the next bill, H. R. 8591, for the relief of Dymtro, or Jim, Gural.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

STANISLAW PASKO AND KSAVERY FRANCES PASKO (NEE FYALOWNA)

The Clerk called the next bill, H. R. 8620, for the relief of Stanislaw Pasko and Ksavery Frances Pasko (nee Fyalowna).

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

DARIO FERNANDEZ

The Clerk called the next bill, H. R. 6537, for the relief of Dario Fernandez.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

ALFONSO LUIGI TARTOGLIONE

The Clerk called the next bill, H. R. 6994, for the relief of Alfonso Luigi Tartoglione.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation in the case of Alfonso Luigi Tartoglione, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Alfonso Luigi Tartoglione shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHELE BOVE

The Clerk called the next bill, H. R. 8415, for the relief of Michele Bove.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

ORFEO PARDISEI

The Clerk called the next bill, H. R. 9316, for the relief of Orfeo Pardisei.

Mr. COSTELLO and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

NICHOLAS DE LIPSKI

The Clerk called the next bill, H. R. 7793, for the relief of Nicholas de Lipski.

Mr. MOTT. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation in the case of Nicholas de Lipski, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act Nicholas de Lipski shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THOMAS J. ALLEN, JR.

The Clerk called the next bill, H. R. 2487, for the relief of Thomas J. Allen, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas J. Allen, Jr., of Estes Park, Colo., the sum of \$2,183.50 for the total damage of his personal effects by vandals while superintendent of the Hawaii National Park: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be

paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, strike out all of lines 7 and 8 and insert in lieu thereof "in full satisfaction of his claim against the United States for damages to his personal property and effects inflicted by vandals in May 1929, while serving as superintendent of the Hawaii National Park, said property having been left in his quarters in a Government building."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE O. WILLS

The Clerk called the next bill, H. R. 3747, for the relief of George O. Wills.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the requirements of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended, are hereby waived in the case of George O. Wills, formerly employed at South St. Paul, Minn., as senior lay inspector, Bureau of Animal Industry, Department of Agriculture, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed by him under the provisions of such act, as amended, within 1 year after the date of enactment of this act, for compensation for disability resulting from any disease suffered while in the performance of his duties as such employee: *Provided,* That compensation, if any, shall be paid from and after the date of enactment of this act. Such payments of compensation shall be made out of funds heretofore or hereafter appropriated for the payment of awards under the provisions of such act, as amended.

With the following committee amendments:

Page 1, line 8, after the word "Wills", insert "of Golden, Colo."
Page 2, line 2, after the word "upon", strike out "any claim filed by him" and insert "his claim for disability due to bronchial asthma incurred as a result of such employment."
Line 4, after the word "amended", insert "if filed."
Line 5, after the word "within", strike out the words "1 year" and insert "6 months."
Line 6, after the word "act", strike out the rest of line 6 and all of line 7 and in line 8 the words "as such employee."
Line 10, strike out all of lines 10, 11, and 12.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MOSES RED BIRD

The Clerk called the next bill, H. R. 6186, for the relief of Moses Red Bird.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Moses Red Bird, the sum of \$150. The payment of such sum shall be in full settlement of all claims against the United States Government for full settlement of all such damages to said Moses Red Bird on account of the loss of two horses which were drowned on October 20, 1934, while working on an Emergency Conservation Works dam on Beaver Creek in the Thunder Butte District.

With the following committee amendments:

In line 5, after the name "Red Bird", insert "of Dupree, S. Dak."
In line 6, strike out the words "\$150. The payment of such sum shall be" and in lieu thereof insert "\$150".
In lines 7, 8, and 9, strike out the words "Government for full settlement of all such damages to said Moses Red Bird."
At the end of the bill strike out the period, insert a comma, and add the following: "Cheyenne River Indian Reservation, S. Dak.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful,

any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. NICHOLAS HEBERT

The Clerk called the next bill, H. R. 6710, for the relief of Mrs. Nicholas Hebert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Nicholas Hebert, of Bourbon Street, New Orleans, La., the sum of \$10,000. Such sum shall be in full satisfaction of all claims against the United States for damages sustained by the said Mrs. Nicholas Hebert as result of the death of her two children, Vernon Hebert, son, and Virges Hebert, daughter, who were killed as a result of the automobile in which they were riding having been struck by a truck of the United States Engineer's Office of the War Department on April 28, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Strike out all after the enacting clause and insert:

"That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of Louisiana, at New Orleans, to hear, determine, and render judgment, as if the United States were suable in tort, upon the claim of Anna Lee Hebert of New Orleans, La., for personal injuries, and upon the claims of the estate of Vernon Hebert, deceased, formerly of New Orleans, La., and the estate of Virges Hebert, deceased, formerly of New Orleans, La., for the deaths of said decedents resulting from a collision of the vehicle in which they were riding and a truck operated by the Corps of Engineers, War Department, April 28, 1936, on United States Highway No. 61, between New Orleans and Baton Rouge, near Lusher, La.: *Provided*, That the judgments, if any, in the case of Anna Lee Hebert shall not exceed \$4,000; and in the cases of the estates of Vernon and Virges Hebert shall not exceed \$5,000 each.

"Sec. 2. Suit upon such claims may be instituted at any time within 1 year after the enactment of this act, and proceedings for the determination thereof, appeals therefrom, and payment of any judgments thereon shall be in the same manner as in the cases of suits over which such court has jurisdiction under the provisions of the twentieth paragraph of section 24 of the Judicial Code, as amended."

Amend the title to read: "A bill conferring jurisdiction upon the United States District Court for the Eastern District of Louisiana to hear, determine and render judgment upon the claims of Anna Lee Hebert and the estates of Vernon Hebert and Virges Hebert, both deceased."

The committee amendment was agreed to.

Mr. FERNANDEZ: Mr. Speaker, I offer an amendment to the committee amendment, as suggested by the committee.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. FERNANDEZ: On page 2, line 20 of the committee amendment, after the word "of", strike out the remainder of line 20 and all of lines 21, 22, and 23, down to and including the word "decedents" in line 23, and insert "Mrs. Nicholas Hebert, of New Orleans, La., for the deaths of her son, Vernon Hebert, and her daughter, Virges Hebert, respectively."

On page 3, line 4, after the word "the", strike out the remainder of line 4 and all of line 5 and insert "case of Mrs. Nicholas Hebert, for the death of her son, Vernon Hebert, and her daughter, Virges Hebert, shall not exceed \$5,000 for each death."

Amend the title to read: "A bill conferring jurisdiction upon the United States District Court for the Eastern District of Louisiana to hear, determine, and render judgment upon the claims of Anna Lee Hebert and Mrs. Nicholas Hebert."

The amendment to the committee amendment was agreed to.

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The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill conferring jurisdiction upon the United States District Court for the Eastern District of Louisiana to hear, determine, and render judgment upon the claims of Anna Lee Hebert and Mrs. Nicholas Hebert."

FRANK M. SCHMITT, ET AL.

The Clerk called the next bill, H. R. 6842, for the relief of Frank M. Schmitt, Antonio Salas, Victoria Griego, and Victor Coco.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank M. Schmitt, Madrid, N. Mex., the sum of \$7,500; to Antonio Salas, Madrid, N. Mex., the sum of \$2,500; to Victoria Griego, Cerrillos, N. Mex., the sum of \$1,000; and to Victor Coco, Madrid, N. Mex., the sum of \$500. The payment of such sum of \$7,500 to the said Frank M. Schmitt shall be in full settlement of all claims against the United States for damages sustained by the said Frank M. Schmitt on account of the death of his minor son, Theodore C. Schmitt, who lost his life on the night of October 14, 1936, when the automobile in which he was riding struck a Department of Agriculture truck which was parked without lights on a highway near Santa Fe, N. Mex.

The payment of such sums of \$2,500 and \$1,000 to Antonio Salas and Victoria Griego, respectively, shall be in full settlement of all claims against the United States for damages sustained by such persons on account of personal injuries received in the automobile accident described in the first paragraph of this act.

The payment of such sum of \$500 to Victor Coco shall be in full settlement of all claims against the United States for damages sustained by the said Victor Coco on account of personal injuries received and the demolition of his automobile in the automobile accident described in the first paragraph of this act.

With the following committee amendments:

Page 1, line 6, strike out the figures "\$7,500" and insert "\$3,750."

Page 1, line 7, strike out the figures "\$2,500" and insert "\$1,500."

Page 1, line 8, strike out the figures "\$1,000" and insert "\$750."

Page 1, line 9, strike out the figures "\$500" and insert "\$300", and the words "The payment of such sum of \$7,500 to the said Frank M. Schmitt shall be" in lines 9 and 10.

Page 1, line 11, start with the word "damages" and strike out all of the bill through the words "his life" in line 3, page 2, and insert in lieu thereof "the death of Theodore C. Schmitt and personal injuries of Antonio Salas, Victoria Griego, and Victor Coco, and property damage of the latter, sustained."

Page 2, line 4, strike out the words "he was" and insert "they were."

Page 2, line 5, strike out the word "lights" and insert "warning flares."

Strike out all of lines 7 through 18, page 2, and at the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. ANSE LITTLE

The Clerk called the bill (H. R. 7012) for the relief of J. Anse Little.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, are hereby waived in favor of J. Anse Little, employee of the Civil Works Administration, and his claim for compensation for disability dating from February 1934 is authorized to be considered and acted upon under the remaining provisions of such act as if he had filed his claim within the time prescribed by such sections 17 and 20, but only if he files such claim with the United States Employees' Compensation Commission not later than 60 days after the date of the enactment of this act. Such claim was not filed within the prescribed period because the claimant remained seriously ill in the hospital from the date of his injury until 1936, during which year his leg was amputated because of his injuries.

With the following committee amendments:

Page 1, line 2, strike out "17 and 20" and insert "15 to 20, both inclusive."

Page 1, line 7, after the word "Little", strike out the remainder of the line and all of lines 8, 9, 10, and 11, and line 1, on page 2, and insert: "of Mize, Miss., and the Employees' Compensation Commission is hereby authorized and directed to receive and consider his claim under the remaining provisions of such act, as extended and limited by the act of February 15, 1934 (48 Stat. 351), for loss of his left leg allegedly due to injury sustained in January 1934, in the course of his employment as a laborer on a Civil Works Administration project in Smith County, Miss."

Page 2, line 11, strike out "60 days" and insert "6 months", and on page 2, strike out all of lines 12, 13, 14, and 15 and insert "act: *Provided*, That no benefits shall accrue prior to the approval of this act."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

EDDIE WALKER

The Clerk called the bill (H. R. 7344) for the relief of Eddie Walker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eddie Walker the sum of \$5,000 in full satisfaction of all his claims against the United States Government for personal injuries caused him by a collision with a Civilian Conservation Corps truck on June 29, 1934, driven by Enrollee Willie Scott on the Cusseta Highway in Muscogee County, Ga.

With the following committee amendments:

Page 1, line 5, after the word "Walker", insert "of Columbus, Ga."

Page 1, line 6, strike out "\$5,000" and insert "\$3,000."

Page 1, line 7, strike out the word "his" and the word "Government" and insert "or any employee or former employee thereof."

Page 1, line 10, strike out "driven by enrollee Willie Scott on the Cusseta Highway in Muscogee County, Ga." and insert "on Georgia State Highway No. 1, between Columbus and Cusseta, Ga.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SIBBOLD SMITH

The Clerk called the bill (H. R. 7761) for the relief of Sibbold Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sibbold Smith, Cherokee County, N. C., the sum of \$200 in full compensation for services in connection with the arrest for trespass on Indian property in April 1935.

With the following committee amendments:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sibbold Smith, of Patrick, N. C., the sum of \$167 in full satisfaction of his claim against the United States for all expenses incurred in defending a charge of trespass by the State of North Carolina during April 1935 in the superior court for Cherokee County, N. C., on account of his assistance as an Emergency Conservation Work employee in erecting a fence, at instructions of his superiors, over disputed land adjoining the Cherokee Indian agency: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended so as to read: "A bill for the relief of Sibbold Smith."

WILMA ARTOPOEUS

The Clerk called the bill (H. R. 7960) for the relief of Wilma Artopoeus.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wilma Artopoeus, of Marion, Ohio, the sum of \$2,500 in full settlement for personal injuries sustained on October 31, 1935, at Marion, Ohio, as the result of fall at an unlighted and unguarded sidewalk project being constructed by the Works Progress Administration.

With the following committee amendments:

Page 1, line 6, strike out "\$2,500 in full settlement" and insert "\$1,000 in full satisfaction of her claim against the United States."

Page 1, line 9, strike out "as the result of fall" and insert "when she fell over a plank."

At the end of the bill strike out the period, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to dispense with the further call of the Private Calendar.

The SPEAKER pro tempore. Is there objection?

There was no objection.

STEFANO PAGLIARO

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to return to H. R. 7883, for the relief of Stefano Pagliaro, and consider the same.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation, issued pursuant to sections 19 and 20 of the Immigration Act of February 5, 1917 (39 Stat. 899, 890; U. S. C., title 8, secs. 155 and 156), in the case of Stefano Pagliaro, any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act Stefano Pagliaro shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GORDON L. CHEASLEY

Mr. O'NEILL of New Jersey. Mr. Speaker, I ask unanimous consent to return to Calendar No. 902, the bill (H. R. 7297) for the relief of Gordon L. Cheasley, and ask for its immediate consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of Labor is directed to cancel forthwith the outstanding warrants of arrest, orders of deportation, warrants of deportation, and bonds, if any, in the case of the alien Gordon L. Cheasley, and is directed not to issue any further such warrants or orders in the case of such alien, insofar as such future warrants or orders are based on the unlawful entry of such alien into the United States prior to the enactment of this act or on perjury or false statements in connection with such entry into the United States or with any application heretofore made for a reentry permit or extension thereof. Hereafter, for the purposes of the immigration and naturalization laws, the

alien, Gordon L. Cheasley, shall be considered to have been at Rouses Point, N. Y., on September 2, 1935, lawfully admitted to the United States for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADOLPH ARENDT

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 925, the bill (H. R. 9400) for the relief of Adolph Arendt, and ask for its immediate consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the order of deportation and warrant of arrest of Adolph Arendt be canceled, and that his entry at the port of Philadelphia as of December 26, 1923, be declared a legal entry.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OMNIBUS PRIVATE CLAIMS BILL

The SPEAKER pro tempore. Under the previous order of the House the Clerk will now call the unfinished omnibus private claims bill (H. R. 9767) for the relief of sundry claimants, and for other purposes.

The Clerk read the title of the bill.

ROLAND STAFFORD

The Clerk read as follows:

Title VIII—(H. R. 3225. For the relief of Roland Stafford.) By Mr. REED of Illinois

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roland Stafford, of Warrenville, Ill., the sum of \$1,500 in full settlement of all claims against the United States for bodily injuries sustained by him on January 16, 1935, when struck by a Civilian Conservation Corps truck on Illinois State Highway No. 59.

With the following committee amendments:

Page 9, line 19, strike out the word "bodily" and insert "in lieu thereof the word "personal."

Line 21, after the word "a", insert "National Park Service truck, operated in connection with the."

Line 22, strike out the word "truck."

Line 23, after "59", insert "1 mile south of Chicago, Ill.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Strike out all of title VIII.

Mr. COSTELLO. Mr. Speaker, this bill provides for the payment of \$1,500 to the claimant, Roland Stafford.

I may state for the benefit of the Members that the purpose of the objectors is simply to explain to the Members exactly what we find the facts to be in a particular case, that is, on bills to which we have already objected, because we considered the claimant not entitled to receive relief by unanimous consent of the House. We simply object to these bills so the committee can report them back here and so the House can be informed as to the facts and then decide as to whether the bill is meritorious or not.

In this particular instance the claimant, driving a truck, ran out of gasoline and it became necessary for him to park his truck by the side of the highway partially on the paved portion of the road. As a result a C. C. C. truck came along the highway and collided with this parked vehicle and damages were sustained, Roland Stafford receiving personal injuries for which we are asked to pay him the sum of \$1,500.

It is my contention that had the situation been reversed, if it had been a Government truck parked on the highway, there would have been no question at all but what the Committee on Claims would have held the Government responsible for leaving a truck parked partially on the highway, leaving it obstructing the highway. In fact, we have already passed bills for the relief of claimants who have sustained damage by reason of such a situation. It does not then seem logical to me that when the situation is exactly reversed we should hold the Government responsible because it ran into a truck which was parked on the highway. It seems to me we ought to be consistent, and just as we have passed previous bills asserting the responsibility of the Government for leaving a truck parked on the highway we should now assert the responsibility of a civilian who left his truck parked on the highway, and not attempt to make the Government responsible in all cases regardless of what the facts may be.

Mr. HAINES. Mr. Speaker, will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. HAINES. What time of the day or night did this accident occur?

Mr. COSTELLO. I do not recall the details of this particular case as to just what hour the accident took place. I believe it was in the daytime, but it was snowing, so that sleet was on the windshield of the Government truck.

The committee report shows that it was in the middle of the day; hence there was no necessity for flares or anything of that kind.

Mr. HAINES. This accident occurred in broad daylight?

Mr. COSTELLO. That is correct. The facts are the reversal of the facts as set forth in H. R. 344 which this House has already passed. It is my contention that the Government should not be held responsible in both instances regardless of which side of the fence they happened to be on. For that reason I ask the House to adopt my amendment.

Mr. REED of Illinois. Mr. Speaker, I rise in opposition to the amendment offered by the gentleman from California.

Mr. Speaker, in this particular instance I am quite familiar with the scene of the accident. It occurred about a mile from where I was born and where I have spent nearly all of my life. The road at that place runs northeasterly and southwesterly. The accident occurred during the daytime, of a very bad day in January of 1935. It had been raining and the rain at that time was turning to sleet. Roland Stafford, the claimant in this case, was driving a borrowed truck, taking a load of crates from one city in my congressional district to another. These two cities are about 10 miles apart.

At a point on the highway about 1 mile south of West Chicago, where the road curved slightly to the right, his engine stopped. He pulled to the side, leaving the two left wheels on the pavement and the rest of the truck on the shoulder of the road. He then alighted from the truck to find out what was wrong with the engine and ascertained that there was no more gasoline in the tank. Just at this time the other truck, going in the same direction as Mr. Stafford had been going, approached. This truck was loaded with men who worked in a C. C. C. camp nearby.

The driver of that truck was proceeding under difficulty because, as I have stated, it was raining and the rain was turning to sleet. He could not look through the windshield of his car and he steered the car by looking out of the window at the side. When he approached this truck, which was parked there through no fault of Stafford but because of necessity, he was unable to see it and apply his brakes until it was too late.

He struck it with such impact that both trucks were hurled over into the ditch a hundred feet away from where the collision took place, the Stafford truck coming to a stop at a point, I believe, 75 feet away and the other 100 feet from the place of impact. Stafford was picked up and taken to a hospital at Geneva. He suffered serious injuries and was obliged

to stay in the hospital for 104 days. He was out of work during all of that time, has been permanently disabled, and will be a cripple for the rest of his life. He asks for \$1,500 and it seems to me that this is not an excessive amount to reimburse him for the injuries which he has sustained. I trust the House will vote down the amendment offered by the gentleman from California?

Mr. HOOK. Will the gentleman yield?

Mr. REED of Illinois. I yield to the gentleman from Michigan.

Mr. HOOK. From the facts stated, there is no question as to the negligence of the driver of the Government truck proceeding along with ice and sleet on the windshield when he could not discern an object ahead of him?

Mr. REED of Illinois. There is no question about that.

Mr. HOOK. From what I can determine, and I believe the gentleman feels the same way, I can see no contributory negligence on the part of the claimant here.

Mr. REED of Illinois. The gentleman is correct.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO].

The amendment was rejected.

Mr. KENNEDY of Maryland. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Maryland: Page 9, line 23, after the word "of" insert "West."

The amendment was agreed to.

The Clerk read as follows:

Title IX—(H. R. 3655. For the relief of Clarence D. Schiffman.)
By Mr. RAMSPECK

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$5,000 to Clarence D. Schiffman for the loss of the sight of one eye caused by an explosion in the laboratory of the Food and Drug Administration, United States Department of Agriculture, at Atlanta, Ga., on December 13, 1934.

With the following committee amendments:

Page 10, line 11, after the word "settlement", insert "of all claims."

Page 10, line 12, strike out "\$5,000" and insert "\$3,500."

Page 10, line 16, after "1934", insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The Clerk read as follows:

Title X—(H. R. 4260. For the relief of C. J. Murrill.) By Mr. TOLAN

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to C. J. Murrill, of Oakland, Calif., as compensation for the loss of his vessel, a four-masted schooner known as the *Philippine*, which was forcibly moved by the United States Coast Guard from a protected anchorage to the open sea, anchored in shallow water and as a result thereof, was pounded to ruin by heavy seas on the beach at Terminal Island, Calif., on January 1, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 11, line 5, strike out "the sum of \$10,000."

Page 11, line 6, strike out "as compensation" and insert "the sum of \$500 in full satisfaction of his claim against the United States."

Page 11, line 9, strike out "forcibly."

Page 11, line 10, after the word "guard", insert "patrol boat *Maclane*, on December 11, 1933."

Page 11, line 12, strike out "and as a result thereof was pounded to ruin by heavy seas on the beach at Terminal Island, Calif., on January 1, 1934" and insert the following: "In Los Angeles Harbor, after which it broke adrift from a gale and heavy seas, and was beached and destroyed."

The committee amendments were agreed to.

The Clerk read as follows:

Title XI—(H. R. 4777. Conferring jurisdiction on certain courts of the United States to hear and determine the claim of the owner of the coal hulk *Callixene*, and for other purposes.) By Mr. O'LEARY

That the Court of Claims of the United States be, and it is hereby, given jurisdiction to hear and determine the claim of New York Harbor Drydock Corporation, a corporation organized under the laws of the State of Delaware and having its place of business in the city, county, and State of New York, and to award it compensation for materials, services, and labor furnished by it in repairing and reconditioning the steamship *Antigone* in January, February, and March 1931, which steamship *Antigone* was then the property of the United States; and to enter decree or judgment against the United States for such compensation, notwithstanding the bars or defenses, that the contract for such repairs and reconditioning was with, and the contract obligation to pay therefor was upon, the United States Mail Steamship Co. the charterer of said vessel, or that the New York Harbor Drydock Corporation had no legal lien on said vessel, and notwithstanding the bars or defenses of res judicata, laches, or any statute of limitation: *Provided*, however, That the United States shall be given credit for the sum of \$265,226.61 paid by the United States Mail Steamship Co. on such repairs and reconditioning.

Sec. 2. The testimony of Admiral W. S. Benson and Richard D. Gatewood, now deceased, given by them in the case of New York Drydock Corporation, libellant, against United States of America and United States Mail Steamship Co., respondents, in the United States District Court for the Southern District of New York, and docketed therein as No. A-80-53, together with any exhibits offered therein in connection with said testimony, shall be received in the Court of Claims with the full force of depositions.

Sec. 3. Such claim may be instituted at any time within 4 months from the approval of this act. Proceedings in any suit brought in the Court of Claims under this act, appeals therefrom, and payment of any judgment therein shall be had as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code as amended.

Amend the title so as to read: "A bill conferring jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the New York Harbor Drydock Corporation."

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent that title XI be recommitted to the Committee on Claims. This title appears in the bill through error, and we would like to make some corrections.

The SPEAKER. Without objection, this title will be stricken from the bill and recommitted to the Committee on Claims.

There was no objection.

The Clerk read as follows:

Title XII—(H. R. 4830. For the relief of Mrs. D. O. Benson.) By Mr. RAMSPECK

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of \$5,000 to Mrs. D. O. Benson for injuries received as the result of being struck by a War Department truck in Atlanta, Ga., on May 16, 1935.

With the following committee amendments:

Line 6, after the word "any", strike out the word "funds" and insert the word "money."

Line 8, after the word "Government", insert "of the United States."

Line 9, strike out "\$5,000" and insert "\$3,000."

Line 9, after the word "Benson", insert "of Atlanta, Ga."

Line 11, after the word "truck", strike out the word "in" and insert "at the intersection of Peachtree Street and Auburn Avenue."

Line 12, after "1935", insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to

Mr. HANCOCK of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK of New York: Page 14, strike out all of title XII.

Mr. HANCOCK of New York. Mr. Speaker, let me read briefly from the report of the War Department, which I believe will give you the facts in this case, although there is some dispute about them. However, it seems to me the weight of the evidence as contained in this report bears out the position taken by the War Department.

The records of the War Department show that on May 16, 1935, at about 1:30 p. m., a War Department truck on official business was proceeding west on Auburn Avenue, Atlanta, Ga., at about 6 or 8 miles an hour; and that while crossing the intersection of Peachtree Street and Auburn Avenue on a green light, said truck struck and injured Mrs. D. O. Benson.

The investigating officer found that the operator of the Government truck was driving with reasonable precaution and complying with traffic regulations; that Mrs. Benson walked into the rear fender of the truck; and that the injuries sustained by her were due entirely to her carelessness. These findings of the investigating officer are supported by two disinterested witnesses of the accident.

Some of these facts are disputed, but there is no claim by anyone that the Army truck was moving faster than a very reasonable rate of speed; in fact, the evidence shows that the truck had practically come to a stop before the traffic light changed, and as the light changed to green the driver shifted his gears and went ahead. There was a group of people at the corner in question, some of whom had just stepped off the curbstone when the truck approached. The claimant apparently was not looking where she was going and walked into the rear of the truck as it rounded the corner. The driver himself, the front wheels, and three-fourths of the truck had passed her. There is nothing in the world the driver failed to do that any ordinary driver in the exercise of due care would have done, and I cannot see any evidence of misconduct or negligence or carelessness whatever on the part of the truck driver. The cause of the accident was the negligence of the woman herself. She should have stopped or stepped back out of the way as the others did.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK of New York. I yield to the gentleman from Kentucky.

Mr. MAY. Ordinary care is usually defined as being such care as an ordinarily prudent person would exercise under circumstances similar to those mentioned.

Mr. HANCOCK of New York. The gentleman is correct.

Mr. MAY. If this driver was driving on the street at the rate of say even 10 miles an hour and the injury occurred through a person's coming in contact with the rear part of the truck, how could the driver have been guilty of any negligence imputable to the master in that case?

Mr. HANCOCK of New York. It does not seem to me the driver did anything that was wrong in any respect whatever.

Mr. MAY. He did not even fail to exercise ordinary care, which constitutes negligence.

Mr. HANCOCK of New York. I cannot see that he did.

There is some little dispute about whether the lights were red or green or yellow. There always is. Pedestrians are not likely to look at lights as carefully as are drivers of cars, because they do not have to. However, it was testified by the driver himself that he slowed down, shifted the gears, and as the light came to green he went forward.

There is a very brief statement here by an eyewitness:

At about 1:30 p. m., May 16, 1935, I was walking down Peachtree Street. A woman started to cross Auburn Avenue and as she did a Civilian Conservation Corps truck approached. She continued walking and went into back side of the truck. It seemed possible for her to stop and not walk into the truck. The truck was going west on Auburn Avenue having the green light. The light had just turned yellow as she stepped down from the curb.

Under those circumstances I do not believe we are justified in making this award. The most we should do is to send the case to court, where evidence can be heard and justice done, both to the claimant and the Government.

Mr. RAMSPECK. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, it happens that I am thoroughly familiar with the location of this accident. I have been by that corner I guess a couple of thousand times in my lifetime. There is a very sharp angle there. The streets do not come at right angles, but the particular corner on which this person was hurt is sharper than a right angle. In the city of Atlanta the traffic regulations permit traffic to turn to the right on red lights. Of course, they can turn to the right on green lights. Therefore, the question of whether the light was red or green does not affect the driver but does affect whether or not the person who was walking along the street should have stepped off the curb.

The testimony of Miss Frances Meadows, which appears on page 96 of the report, was that the light was red on Auburn Avenue. As I say, the truck could have turned on a red light. This driver had a right to do that. However, he was under more compulsion as to caution than than he would have been if the light had been green, because the pedestrians walking along the sidewalk are supposed to cross when the light is red on the street they are crossing. Auburn Avenue is the street this truck was on, and the lady who was injured was going to cross Auburn Avenue. Therefore she had a right to step off that curb, and it was the duty of the driver to show due caution in making the turn on the red light. The testimony of Miss Meadows is that she was standing right by Mrs. Benson, just a foot behind her, and that the truck cut the corner so sharply that the back end of it hit Mrs. Benson and knocked her down. If she had been a foot farther out the front of the truck would have hit her. The thing that caused the accident was that this driver cut this narrow corner so quickly and so sharply that the back end of the truck hit this woman who was standing there waiting to cross the street. Of course, it is true there is conflicting evidence. I tried a lot of automobile accident cases at one time when I was a prosecuting attorney, and I have never yet found a single case where you could get any two witnesses to an automobile accident to testify to exactly the same set of facts.

Mr. HANCOCK of New York. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from New York.

Mr. HANCOCK of New York. Did the gentleman ever get a recovery in a case like this where a woman walked into the rear end of a truck going 6 or 8 miles an hour?

Mr. RAMSPECK. No; I do not believe I ever did, but the testimony in this case is that she did not walk into the truck. There is conflicting evidence, of course, but we have here the testimony of Miss Meadows, who is not interested in the matter and who was standing right by her and had the best opportunity to see just what happened, and she states that she was standing still and the truck turned suddenly.

Mr. HANCOCK of New York. But was she not under duty to step back when she saw the truck was coming so close to her?

Mr. RAMSPECK. Of course, it was the duty of both of them to be cautious.

Mr. HANCOCK of New York. The driver himself had passed this woman.

Mr. RAMSPECK. No; she was standing there and he went by her, but he cut his truck to the right—

Mr. HANCOCK of New York. You have got to cut the front wheels.

Mr. RAMSPECK. I have been in that same position myself and have almost got run over on that same corner.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. BOILEAU. Was the lady standing on the curb or the street?

Mr. RAMSPECK. She had taken one step off the curb and she stopped to keep the truck from hitting her and then the truck cut so sharply to the right the back of the truck hit her anyway. I have been in exactly that same position on that corner and I know how reckless drivers can be sometimes.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

Title XIII—(H. R. 4864. For the relief of Helen Rauch). By Mr. BLOOM

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, to Helen Rauch, of New York City, out of any money in the Treasury not otherwise appropriated, the sum of \$2,132.20, with interest at the rate of 5 percent per annum from the 5th day of October 1922, and \$344.80 costs, being damages for personal injuries received by Helen Rauch on May 11, 1919, when a passenger on the Hudson & Manhattan Railroad which was being operated by the Director General of Railroads, acting for the United States.

With the following committee amendment:

In line 4, page 15, strike out "to Helen Rauch, of New York City", and in line 6, strike out "the sum of \$2,132.20, with interest at the rate of 5 percent per annum from the 5th day of October 1922, and \$344.80 costs, being damages for" and insert "to Helen Rauch, of New York City, the sum of \$2,132.20, and to her husband, Max Rauch, of New York City, the sum of \$500, in full satisfaction of their claims against the United States for judgments obtained against the Director General of Railroads as the result of"; and after the words "United States", in line 16, insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Amend the title so as to read: "A bill for the relief of Helen Rauch and Max Rauch."

The committee amendments were agreed to.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: On page 15, beginning in line 1, strike out all of title XIII.

Mr. COSTELLO. Mr. Speaker, the present title of the bill proposes to pay \$2,132.20 to Helen Rauch and \$500 to her husband by reason of injuries sustained in a railroad accident in New York City. The accident occurred at the time when the Government was operating the railroads. A suit was brought by the claimants in which they sued the Hudson & Manhattan Railroad and also named the Director General in the accident. However, the Director General of Railroads was never served with a copy of the complaint in this action. The papers were served upon the railroad company and the attorneys for the company put in an appearance.

When the time came for trial of the case the attorneys for the company did not appear, and as a result the claimants received a default judgment against the railroad company and the Government. I simply call to the attention of the House this fact: The Government officials were never served with any papers in this action. They had no knowledge of the pendency of the suit and they therefore resisted the payment of the judgment, which was obtained ex parte.

The judgment was rendered in October of 1922. It was not until May of 1923, the accident having taken place in 1920, that for the first time the claimants wrote a letter to the Director General of Railroads, whom they had named as Hines, who had been out of office for 3 years, in an effort to collect the judgment. This was the first notice that the Director General of Railroads had of this lawsuit and he therefore declined to make payment.

In 1924 the plaintiff then brought a mandamus here in the District of Columbia in an effort to force payment by the Government, but prior to bringing this action the right to sue the Government in the courts under laws passed by Congress arising out of such cases as this had expired, and so the court refused to recognize the action. As a result these plaintiffs have been unable to collect their judgment, and it does appear to me that in view of the fact that the Government was in no way a party to the action, was given no opportunity whatsoever to defend itself against such a judgment, the Government should not now be held liable on a judgment that was rendered ex parte and without notice to the Government. For this reason I have offered the amendment striking out the title.

Mr. BLOOM. Mr. Speaker, I rise in opposition to the amendment. The amendment offered by the gentleman from California [Mr. COSTELLO] is the same technical amendment that has been suggested before, as well as other technical things. Let me read from the report, and this is what I particularly call attention to:

It appears that just 1 day prior to the institution of suit by claimants, Walker D. Hines, who had been Director General of Railroads, and whom claimants sued as such, was succeeded by John Barton Payne, and the suit should therefore have been brought against Mr. Payne, technically speaking.

So it was only 1 day before. I quote further from the report:

The Transportation Act of 1920 provided that suit should be brought against the agent designated by the President, or the Director General.

It also provided that the notice of the name of such agent should be on file in each district court, and attorneys for claimants state that no such notice of John Barton Payne being agent was on file when they instituted suit.

Mr. BOILEAU. Did they serve papers on his predecessor?

Mr. BLOOM. Oh, yes. There is no question about that.

Mr. COSTELLO. Mr. Hines was not served in this action. He was the Director General of Railroads the day before the suit was brought and no attempt was made to serve him or Mr. Payne.

Mr. BLOOM. They did not know anyone else at that time. They sued the man they thought was in charge and who was the proper person to sue.

Mr. BOILEAU. There seems to be a conflict between the gentleman from California [Mr. COSTELLO] and the gentleman from New York [Mr. BLOOM]. The gentleman from California says that no one was served.

Mr. BLOOM. We had two meetings before the Committee on Claims. The matter was considered again and it was reported out favorably. Let me give you something else.

Mr. COSTELLO. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. Yes.

Mr. COSTELLO. I do not make any point on the change of administrator between Mr. Hines and Mr. Payne. I think that is trivial. The point I make is simply that the administrator, whoever he was, was not served at any time, and I do not think the report will show anywhere that any effort was made to serve him.

Mr. GOLDSBOROUGH. Oh, if the agent of the railroad company was served, that was service to the Director General. I know, because I have had several of those cases.

Mr. BLOOM. When they found out that that did not go, they tried this thing, and I read from the report:

In a report submitted by the Railroad Administration on these bills shortly after their first presentation to Congress in May 1926, the statement is made that attorneys for the Hudson & Manhattan Railway were of the Jewish faith, and October 5, 1922, being a Jewish holiday, they inadvertently failed to appear to defend the suit.

When we proved to them that that day was not a Jewish holiday and that the attorneys for the plaintiff were in court, they changed that again. They do not dispute anything in regard to the amount or that the accident happened, or who was at fault, but they are trying to hide behind something that has nothing to do with the suit at all. This person was injured and the suit was brought. The amount was for a larger sum, and they compromised it. It has been twice before the Committee on Claims this year, and they allowed, and I hope the amendment will not prevail.

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was rejected.

The Clerk read as follows:

Title XIV—(H. R. 4941. For the relief of Rogowski Bros.) By Mr. RYAN

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rogowski Bros., of South St. Paul, Minn., the sum of \$1,281.25, with 6-percent interest per annum from March 8, 1920, as a refund for money wrongfully collected by the collector of internal revenue at St. Paul, Minn., on March 8, 1920.

With the following committee amendments:

Page 16, line 6, insert "(John and Alex. Rogowski)."

Page 16, line 7, strike out "with 6 percent interest per annum from March 8, 1890, as a refund for money" and insert "in full satisfaction of their claim against the United States for the refund of an illegal liquor assessment."

Page 16, line 12, strike out the period, insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

Mr. HANCOCK of New York. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

Amendment offered by Mr. HANCOCK of New York: Page 16, strike out all of title 14.

Mr. HANCOCK of New York. Mr. Speaker, I realize it is utterly futile to try to defeat any of the items in this bill. I think our action today illustrates the failure of our new rule for the disposition of private bills. No one attends these Private Calendar calls except the members of the Committee on Claims and those who are interested in the passage of individual bills. It does not make much difference what the merits of a bill are, it is quite sure to be passed. We know that in advance. Nevertheless, we official objectors feel that it is our duty to let the grounds for our objections be known in vain attempts to protect the Treasury.

The only question involved in this case is whether you want to waive the statute of limitations which expired in 1924; that is the only question involved. If this claim were brought against any corporation or private individual it would be thrown out of court. It has been outlawed for 14 years. It seems that in 1919 an assessment was made against Rogowski Bros. for the nonpayment of a liquor tax. They paid it under protest and under advice of their attorney. The statute gave them 5 years in which to recover that tax. They took no action. I understand an attorney told them it might cost more than the claim was worth. They made no claim prior to 1924, but now through the activities of their very able Representative in Congress they are attempting to reopen this case. That is all there is to it. It is a question of how generous you want to be to Rogowski Bros. They paid the tax. They had until 1924 to recover it, but they took no action.

Mr. ANDRESEN of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK of New York. I yield.

Mr. ANDRESEN of Minnesota. The tax was declared to be illegal and unconstitutional. They paid that money under protest before that decision was rendered. Does the gentleman think the Government is doing them any particular favor to refund the money to which they are entitled?

Mr. HANCOCK of New York. It is simply a question whether you believe the statute of limitations is right and justifiable, whether you believe the old theory of laches has any place in law. If you believe that disputes should be quieted, whether between private citizens or between individuals and their Government, then you should vote for this amendment.

Mr. ANDRESEN of Minnesota. I think the Government, when the Court declares a tax unconstitutional and unlawful, should of its own accord refund to the people who have paid the money rather than to compel someone to go into court and fight all the attorneys and other legal resources the Government may have.

Mr. HANCOCK of New York. The claimant in this case had 5 years in which to bring suit to recover any assessments

which they regarded as having been paid illegally. Let me call attention to the concluding statement in the Secretary of the Treasury's report:

The passage of the bill will establish a precedent for the filing of other bills for private relief under similar circumstances all of which must, in justice and fairness, be recommended for passage if this bill is enacted into law. The Treasury Department, therefore, recommends that this bill be not enacted into law.

In other words, pass this bill and you will resurrect hundreds of similar claims where people claimed they paid liquor taxes illegally.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK of New York. I yield.

Mr. BOILEAU. Has the gentleman any question in his own mind as to the merits of this bill outside of the statute of limitations?

Mr. HANCOCK of New York. I think there was an illegal assessment. It is simply a matter of waiving the statute of limitations and excusing laches. These are the only questions involved.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. HANCOCK of New York. I yield.

Mr. MAY. How long after the 5 years' statute of limitations had run was it before they filed claim?

Mr. ANDRESEN of Minnesota. Mr. Speaker, will the gentleman yield at that point?

Mr. HANCOCK of New York. I yield.

Mr. ANDRESEN of Minnesota. I was elected to Congress in 1924 from the district now represented by my able colleague the gentleman from Minnesota [Mr. RYAN]. Shortly after I took my seat here, in 1925, they conferred with me and I introduced a bill. I think it was in the latter part of the Sixty-ninth or the early part of the Seventieth Congress.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. ANDRESEN of Minnesota. I yield.

Mr. RYAN. I believe I can say more in connection with the gentleman's statement that they had done nothing whatever to recover this tax. As a matter of fact, it was paid under protest. The report will show they made application for the refund of the tax; that later refund was denied. Because of the fault of this attorney they did not pursue their rights. Being of foreign birth, Polish, they did not understand the procedure they were up against. When their claim was denied they failed to go into court and start the action they were required to start. Later, many years later, just this year, the law was declared unconstitutional under which it was collected.

[Here the gavel fell.]

Mr. RYAN. Mr. Speaker, I rise in opposition to the amendment.

Mr. HANCOCK of New York. Mr. Speaker, will the gentleman yield to permit me to follow up our little colloquy?

Mr. RYAN. I yield.

Mr. HANCOCK of New York. The earliest affidavit or statement on record in any way in connection with this claim is the affidavit of Rogowski Bros., which was subscribed and sworn to on the 3d day of May 1935.

Mr. RYAN. The gentleman from Minnesota [Mr. ANDRESEN] introduced a bill in Congress many years before that time.

I call attention again to the fact that the claim was paid in the first place under protest and application was made for refund well within the statute.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield.

Mr. BOILEAU. I imagine the distinguished gentleman from New York himself in private dealings between himself and another individual would not take advantage of the statutes of limitations if he thought he really owed them some money.

Mr. HANCOCK of New York. I would if I were representing a client as an attorney. I feel that we as Members of the House are representing the people of the country.

Mr. BOILEAU. Not as attorneys; we are acting for them but not as attorneys, we act for them in a more individual capacity.

Mr. RYAN. I think there is no question but what this House has the right and that it is entirely proper for the House if it believes that these people are clearly on the facts entitled to a refund of this claim to grant the claim. We are acting more or less as a court of equity.

We do not have to put a strict interpretation upon the statute of limitations and we do not do it in many cases.

Mr. GOLDSBOROUGH. The statute of limitations is for the purpose of preventing fraud, not for the purpose of preventing justice being done?

Mr. RYAN. That is true.

Mr. Speaker, the facts in this case are about as follows: These two prohibition agents went out this day to a place which we contend was on South Waubasa Street in South St. Paul, Minn., not on South Concord Street, where Rogowski Bros. had been doing business. The record will show they bought eight drinks of moonshine whisky for which they paid 25 cents per drink. I do not believe there was any justification, if they wanted evidence, for these agents to buy eight drinks of whisky. I think the way in which they proceeded to arrest the wrong man and bring him into court will clearly indicate that these eight drinks of whisky had something to do with it.

They then arrested John Rogowski, of South St. Paul. The affidavits that they made stated he was a man weighing about 175 pounds and 5 feet 9 inches in height, together with several other details. I have affidavits in this file, and they are in the report here, from the mayor of South St. Paul and from almost every other public official who has served in South St. Paul for years, showing that John Rogowski did not in any way answer the description that the agents gave of the man they were arresting.

Mr. ANDRESEN of Minnesota. Will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Minnesota.

Mr. ANDRESEN of Minnesota. From my own personal investigation, I am satisfied that the John Rogowski referred to in this bill was not the John Rogowski or Joe Rogowski that was guilty of the crime. I believe the Government made a mistake and his attorney also made a mistake in advising him to go into court and plead guilty to a crime he never committed.

Mr. RYAN. That is correct.

Mr. ANDRESEN of Minnesota. As far as establishing a precedent in refunding to Rogowski Bros. the money they have coming to them, every claims bill that comes before this House is judged upon its own merits. What has been done in some other case does not deter the objectors from objecting or establishing any precedent whatever.

Mr. RYAN. From the very thorough and very careful investigation that my colleague made of the claim when he had it and when he represented that district, and from the investigation which I have made, it is clearly indicated that Joseph Rogowski was often confused with John Rogowski. He received bills and claims that should properly have gone to Joseph Rogowski. John and Alec Rogowski, are the men mentioned in this claim. Alec Rogowski is head of the Polish National Alliance of South St. Paul. Both of these gentlemen are leading citizens of that district. The affidavits will show that neither of them have been in trouble of this kind before or since and as a matter of fact they are two of the finest citizens in my city.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. HANCOCK].

The amendment was rejected.

The Clerk read as follows:

Title XV—(H. R. 5615. For the relief of Capt. B. B. Barbee.) By Mr. PETERSON of Florida

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,588.65 to Capt. B. B. Barbee,

retired, representing funds administratively determined that Capt. Barbee owed the War Department as a result of alleged omissions and derelictions which the Department has held were a material factor in the embezzlement by a civilian employee (now deceased) of the Quartermaster Department of Government funds: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 16, beginning with line 22, strike out all down to and including line 5, page 17, and insert the following: "That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. B. B. Barbee, United States Army, retired, the sum of \$1,588.65, or so much thereof as shall have been collected from him prior to the passage of this act, in full satisfaction of his claim against the United States for a stoppage in his pay on account of the embezzlement of public funds by a civilian employee of the office of the quartermaster, Fort Jay, N. Y., from July 1, 1925, to February 28, 1931, while Captain Barbee was on duty as agent finance officer, Governors Island, N. Y."

The committee amendment was agreed to.

The Clerk read as follows:

Title XVI—(H. R. 6296. For the relief of Dr. A. C. Antony and others.) By Mr. CARLSON

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. C. Antony, medicine doctor, the sum of \$55; the St. Joseph Hospital the sum of \$25.25; Sadie E. Crimins, registered nurse, the sum of \$28; and A. J. Chaput, the sum of \$5, as full compensation for services rendered in behalf of Leo J. Jensen, United States Marine Corps, during his illness and death.

With the following committee amendment:

Page 18, line 9, after the word "appropriated", strike out all of line 9 and lines 10 to 14, inclusive, and insert the following: "to Dr. A. C. Antony, of Clyde, Kans., the sum of \$55; to St. Joseph's Hospital, of Concordia, Kans., the sum of \$25.25; to Sadie E. Crimins, registered nurse, of Concordia, Kans., the sum of \$28; and to A. J. Chaput, funeral director, of Clyde, Kans., the sum of \$5; in all, \$113.25, in full settlement of their claims against the United States for medical, hospital, nursing, and ambulance services rendered Leo J. Jensen, private, first-class, United States Marine Corps, who died November 25, 1936, while on furlough, at Concordia, Kans.; *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The Clerk read as follows:

Title XVII—(S. 1307. For the relief of W. F. Lueders.) By Senator SHEPPARD

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to W. F. Lueders, of San Antonio, Tex., out of any money in the Treasury not otherwise appropriated, the sum of \$5,595 in full settlement of all claims against the Government for permanent injuries received and expenses incurred by reason of having been struck by a United States Army ambulance while riding in his own car in the city of San Antonio, Tex., on the 12th day of May 1930: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. COSTELLO. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 19, beginning in line 9, strike out all of title XVII.

Mr. COSTELLO. Mr. Speaker, the present bill would provide for payment to W. F. Lueders of the sum of \$5,595 as

the result of injuries received in an accident in which his car was struck by an Army ambulance.

There were only two eyewitnesses to the accident, one the driver of the ambulance and the other a brother-in-law of the claimant, I believe. It appears that claimant's car was parked on the north side of the street; that directly across the street was a driveway, and out of this driveway backed a Buick automobile, which backed into the street parallel with claimant's car, which was parked against the curb so that the front end of this Buick had its wheels practically on a line with the rear wheels of claimant's car.

The ambulance approached these two cars from the rear, and in order to pass them, the Buick being parked out in the middle of the street, it was necessary for the ambulance to swing to the left. About the time the ambulance was passing the Buick the claimant, with his car between the Buick and the curb, started to pull into the driveway. The claimant admits he did so without ascertaining what might have been coming from the rear and did so without sounding his horn or giving any warning. As a result the two vehicles collided.

It appears to me that while the claimant alleges the ambulance was driven at an excessive rate of speed, which the War Department denies, the speed of the ambulance is not in question here. There was clear-cut negligence on the part of the claimant in swinging out into the middle of the street, around a parked automobile, without ascertaining what might be behind or what might be coming from the rear. That is a clear-cut case of negligence on the part of the claimant and sufficient negligence, in my opinion, to deny him the right to a claim for damages from the Government. In other words, it appears to me that the injuries sustained were due to his own gross negligence and were not sustained directly as the result of reckless driving or carelessness on the part of the driver of the Army ambulance. For that reason, Mr. Speaker, I recommend that my amendment to strike out this title be sustained.

Mr. MAVERICK. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I call the attention of the House to the report that has been filed by the committee, and which has not been questioned by anyone. The report states—

That the Government ambulance had swerved to the left to a much greater distance than was necessary to avoid colliding with a parked Buick car that was on the north side of the street.

The claimant was not parked, but there was another car that was parked in the way.

Then the report states concerning the Army ambulance—

There was unobstructed space for the Government ambulance to proceed on its legitimate course; that "the obvious cause of the accident was the terrific speed at which the ambulance was driven, together with the fact that it was being driven on the left side of the street."

Let me read more of the report which states that—

Testimony before your committee indicates that the finding of the Army Board was based on ex parte evidence. The testimony of Mrs. Bernard Muerer was taken, although she did not witness the accident.

And so on. Then the report goes on to show by another witness, Ben L. Rittiman, that the ambulance—

Was coming at a terrific rate of speed, because it wrapped the Ford roadster around a telephone post, completely around, headed out of the opposite way with front wheels about 2 feet south of the south curb line of the street. The ambulance ran up over the curb, both front wheels up into the yard at No. 1126.

I continue to read the report:

The only other eyewitness to the accident whose testimony was taken was that of the Government ambulance driver, Pvt. George J. Van Wie—

And, of course, that was necessarily testimony on behalf of himself, a prejudiced witness.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. Would the gentleman not state that as a result of an examination of the evidence in this case it would appear that the proximate cause of the accident was the excessive speed of the Government ambulance?

Mr. MAVERICK. In my opinion, it was the excessive speed and negligence of the driver of the Army ambulance, and therefore, in law, the proximate cause. In confirmation of that, the report says:

It seems clearly established by the evidence that the ambulance driver was going at a very unreasonable rate of speed; that the accident occurred at the curb on the left-hand side of the street; that the ambulance driver necessarily had been driving for a considerable distance on the wrong side of the street.

I know exactly where that street is. I know a good deal about the facts in this case.

In my opinion, this is absolutely a meritorious claim, which has been thoroughly discussed and thoroughly gone into over a long period of time. I ask the approval of this bill and that the amendment of the gentleman from California to strike out this title be voted down. I may say this bill has already passed the Senate.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO].

The amendment was rejected.

The Clerk read as follows:

Title XVIII—(S. 1585. For the relief of Sallie S. Twilley.) By Senator RADCLIFFE

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Sallie S. Twilley, in full settlement of all claims against the Government on account of the death of her husband, Samuel J. Twilley, a former rural carrier at the Cambridge, Md., post office, due to injuries received while in the performance of his duties: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 20, line 9, strike out "Samuel" and insert in lieu thereof "William."

The committee amendment was agreed to.

Mr. HANCOCK of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK of New York: On page 20, strike out "title XVIII."

Mr. HANCOCK of New York. Mr. Speaker, by this bill the Congress is asked to overrule a decision made by the United States Employees' Compensation Commission in 1923. At that time the United States Employees' Compensation Commission found after personal investigation and after examining all the evidence that the death of the decedent in this case was not caused by an injury sustained in the performance of his duty. An effort was made to have the case reopened in 1930. The Compensation Commission reviewed its files but found no reason to change its decision. Now we are asked to reverse the decision on no evidence whatever except what we can find in this report, consisting largely of statements by friends of the decedent made several years after the compensation claim was dismissed and contradictory to the evidence before the Commission.

The theory is that this man, who was a rural mail carrier, bumped his head on a rib of the top of his Ford car while driving on an icy day on a rough road in Maryland, which resulted in a brain hemorrhage and death several weeks later. We know that on icy days one does not drive very fast and it is not likely that the injury was serious. There was no concussion of the brain or any other injury sufficient to cause the decedent to see a doctor for treatment. The evidence is that he did not mention it to his

wife and that he did not even complain to his own physician about this bump on his head when he was in his last illness. After his death some one evolved the theory that a bump on the head might in some way have caused the stroke of apoplexy which resulted in death about 6 weeks after the alleged bump on the head was received. A claim for compensation was made and denied.

I have discussed the medical question here with physicians and they tell me that unless the man had a paper head no such bump as this man evidently received would have caused such a catastrophe, and that if he had had a paper head a severe blow would have cracked his skull then and there.

This claim is contrary to the evidence and contrary to the findings of those who are competent to pass on such matters. It has been twice denied by the Compensation Commission, and there is no justification whatever for passing this bill. Let me call your attention to the fact that this is another departure from precedent, and a very dangerous one. It is not a function of Congress to review the decisions of the Compensation Commission.

The SPEAKER. The question is on the amendment offered by the gentleman from New York [Mr. HANCOCK].

The question was taken; and on a division (demanded by Mr. CARTER) there were—ayes 3, noes 14.

Mr. CARTER. Mr. Speaker, I object to the vote on the ground a quorum is not present.

The SPEAKER. Will the gentleman withhold that a moment so the Chair can entertain a unanimous-consent request of the gentleman from Texas?

Mr. CARTER. I withdraw the point of no quorum, Mr. Speaker.

So the amendment was rejected.

The bill (H. R. 9767) was ordered to be engrossed and read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL STAFF CORPS

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10317) to remove certain inequitable requirements for eligibility for detail as a member of the General Staff Corps.

The Clerk read the title of the bill.

Mr. MAPES. Mr. Speaker, reserving the right to object, the special order for today provided for the consideration of the Private Calendar and the completion of this omnibus claims bill, and I believe the membership of the House generally thought this would be all the legislation that would be considered this afternoon. I wonder if the gentleman from Kentucky would not be willing to let this bill go over until the first of the week?

Mr. MAY. Mr. Speaker, ordinarily I would not object to that, and I do not seriously contend for it now. I have discussed two little bills I have here that are vital to the War Department. They are noncontroversial and have been unanimously reported by the House Committee on Military Affairs. I have discussed this with the ranking minority member and the member next to him, as well as other members of the committee, and there is really no objection to either one of the bills, and it would only take a minute to consider them; but if the gentleman insists on his objection, of course, I shall defer to the gentleman.

Mr. MAPES. I wish the gentleman would wait until the first of the week.

Mr. MAY. Then, Mr. Speaker, I will withdraw the request and call the bills up Tuesday.

EXTENSION OF REMARKS

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a short editorial from the Tampa Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. O'CONNELL of Rhode Island. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and insert a speech I made last night at Temple University.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

CHOPAWAMSI RECREATIONAL DEMONSTRATION PROJECT, NEAR DUMFRIES, VA.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6351) to provide for the operation of the recreational facilities within the Chopawamsic recreational demonstration project, near Dumfries, Va., by the Secretary of the Interior through the National Park Service, and for other purposes, with the Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MAPES. Mr. Speaker, I reserve the right to object. I wish the gentleman from Louisiana would take the same course the gentleman from Kentucky [Mr. MAY] has taken and withhold his request until the first of the week.

Mr. DEROUEN. Will the gentleman permit me to make a statement?

Mr. MAPES. I understand that the gentleman has talked with other members of his committee and some of them were on the floor at the beginning of the session anticipating that he was going to make his request sooner than he has. The gentleman sees that very few Members are present. I feel I shall have to take the same position I did with respect to the request of the gentleman from Kentucky.

Mr. DEROUEN. This bill passed by unanimous consent. It went over to the Senate, and they struck out section 3, and I think have made it a better bill. We have an accumulation of these Senate bills on the desk that are not controversial. The amendment does not involve any money whatever. It is simply perfecting language. I discussed the matter with Mr. MARTIN and with other members of the committee. In fact, Mr. ENGLEBRIGHT has three bills. We have an agreement that there is no opposition. We would like to get rid of these bills so that there will not be such an accumulation of them.

Mr. MAPES. Mr. Speaker, I do not question anything the gentleman from Louisiana says. I think I shall have to apply the same rule to the gentleman from Louisiana that has been applied to others.

Mr. DEROUEN. Mr. Speaker, I withdraw my request.

EXTENSION OF REMARKS

Mr. TRANSUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include therein a speech delivered by the Honorable Cordell Hull, Secretary of State, from the studio of the National Broadcasting Co.

The SPEAKER. Is there objection?

There was no objection.

FREEDOM OF THE PRESS

The SPEAKER. Under special order heretofore made the gentleman from Michigan [Mr. Hook] is recognized for 15 minutes.

Mr. HOOK. Mr. Speaker, there is an old axiom, "Give your enemy enough rope and he will eventually hang himself." Likewise, organized opposition to progressive policies ultimately may wear itself out either because of its violence or its illogic. I think, however, it is the better part of wisdom for any man in public life to ignore assaults either upon himself or his expressed convictions. I doubt if any Member in this House has always escaped false and malicious criticism of his public actions. I know I have not, but I have

rarely dignified it by recognizing the unworthy opponents who have attacked me with such weapons. The time may come, however, in the development of any great progressive movement when it may be well to meet the opposition with counterattack that may lead to exposure. Such a situation has come in this session of Congress.

The opposition to President Roosevelt and the New Deal has been so brazen in its assaults, hiding behind the cloak of freedom of press and sneaking under Government postal regulations, that it becomes desirable, if not necessary, that some attention be given to it. Two committees of the United States Senate undertook to investigate the forces that have been behind this opposition. The astounding results have not only been surprising but are amazing to anyone who has a sense of justice.

Mr. Speaker, I have been astonished at the confessions made by the representatives of some of the anti-New Deal organizations and great corporations that have persistently and consistently opposed everything progressive from the very beginning of the Roosevelt administration; in fact every progressive measure that he or the administration has recommended. It is likewise surprising that fighting against such odds we have been able to enact into law as many New Deal reforms as are now on the statute books. President Roosevelt and the Democratic Party have succeeded only by reason of the unmistakable need of the legislation and the loyal support of the masses of our people.

It was Lincoln who said:

You can fool all the people some of the time and some of the people all of the time, but you can't fool all the people all of the time.

And so it has been with this great organized propagandizing group of disgruntled industrialists—economic royalists, if you please, who fooled most of the people for a great many years. They have finally been unmasked to a certain degree. They have not as yet been routed, and, Mr. Speaker, I warn the Members of this House that eternal vigilance is still the price of liberty. We have not yet reached port nor shall we have easy sailing until all the urgent reforms for which President Roosevelt and the New Deal stand for are accepted.

Today, Mr. Speaker, I wish to call the attention of my colleagues, and especially to the legitimate press of this Nation, confessions made by representatives and paid agents of the Republican Party during the course of a hearing before the Senate Lobby Committee. I refer to a hearing at which the publisher of a magazine called Rural Progress testified, at which the new molder of Republican policies, Dr. Glenn Frank, erstwhile and ousted president of the University of Wisconsin, was an interested observer and an unbidden participant.

It is my understanding that this so-called magazine, Rural Progress, is placed in the mails under third-class matter. I do not believe that it is entitled to third-class privileges, but it could not come under second-class privileges, because mailable matter of the second class shall embrace all newspapers and all other periodical publications which are issued at stated intervals and as frequently as four times a year. Section 520 of the Postal Laws and Regulations regarding second-class matter provides that:

First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively. Second. It must be issued from a known office of publication. Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications: *Provided*, That publications produced by the stencil, mimeograph, or hectograph process, or in imitation of typewriting, shall not be regarded as printed within the meaning of this clause (act of Mar. 3, 1879, as amended by the act of June 11, 1934, Public No. 302, 73d Cong.). (See par. 4, sec. 524.) Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and have a legitimate list of subscribers. Nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates.

In order for the legitimate press of this Nation to take advantage of second-class postal regulations, the information originated and published by them must be of a public character or devoted to literature, the sciences, arts, or some special industry and have a legitimate list of subscribers and under the second-class regulation publications designed primarily for advertising purposes or free circulation or circulation at nominal rates shall be admitted to the second-class rate.

This insidious, pernicious, lying piece of propaganda known as the Rural Progress is sent out as third-class matter, supposed to be for advertising purposes—sent out free of charge, if you please. If this is allowed to go on it will wreck the legitimate press of this Nation; it will establish a principle that will set up such competition with the legitimate press that in due time free speech and free press will be eliminated from the privileges that we enjoy in this Nation. I have not at all times agreed with the propaganda as disseminated by the newspapers of this country, but at least the legitimate press have a list of subscribers, they charge a nominal rate, and they disseminate information of a public character, whether it is colored or not. But I am particularly interested, because this Rural Progress magazine has been distributed free of charge among seven pivotal States, including my own State of Michigan, and is supposed to be a nonpartisan farmers' magazine. Nothing could be further from the truth.

What is the Rural Progress magazine? Who originated it? Who pays for it and under what circumstances and conditions is it operated?

Senator MINTON is chairman of the Senate Committee to Investigate Lobbying Activities, the same committee that unmasked the American Liberty League—Du Pont-financed propaganda organization—as the sponsor and backer of the fake Farmers' Independence Council.

The testimony of Maurice V. Reynolds, publisher of Rural Progress, who was under oath, disclosed that Rural Progress was first issued in November of 1934. It announced in this issue that it would be nonpartisan in politics. On the cover of the November copy it was stated that the magazine would be distributed free of charge to 2,000,000 families who lived on farms or in rural communities, and in order to come within third-class postal regulations informed the public that because of the free distribution to a large number it would receive revenue from its advertisers in such an amount that the advertising would take care of the publication. In other words, the originators of this publication led their readers to believe that it was to be a regular publication designed primarily for advertising purposes. Nothing could be further from the truth.

Every month since November 1934 copies of Rural Progress have been stuffed into the mail boxes of 2,000,000 people along the rural routes in Indiana, Illinois, Iowa, Wisconsin, Minnesota, Ohio, and Michigan. Mind you, there are no subscribers to the magazine and there is no list of those to whom it is sent. It is simply placed in the mail boxes. Rural Progress has no printing plant, no assets, except a little office furniture, and a deposit in a bank.

I want you to listen closely. During the entire time it has been operating—this supposed to be benevolent nonpartisan magazine—the advertising it carried did not pay one-half the cost of the publication. Since it began operating it has lost more than \$951,000. Where did they get the money to keep going? They received it from industrialists and others who are opposed to the Roosevelt administration—men like Frank Vanderlip, Sr., and Frank Vanderlip, Jr.; George Ball, the party who bought the Van Sweringen railroad empire, and who was for years Republican national committeeman from Indiana; from directors of Allis-Chalmers; the Northwestern Mutual Life Insurance Co.; the Westinghouse Co.; the United States Sugar Corporation; the Consolidated Water Power & Paper Co.; the Illinois National Bank & Trust Co., the Continental Trust Co.; and—I almost overlooked him—from Dr. Edward A. Rumely. He is the same Dr. Rumely who is the secretary of the Gannett Committee

to Uphold Constitutional Government, the same committee which spread the malicious, lying misinformation against the reorganization bill, the same Dr. Rumely who was convicted of conspiracy under the Trading With the Enemy Act and failing to report to the Alien Property Custodian during the World War; the same man who bought the New York Mail to further the enemy cause. And, oh, yes, they got part of the money from that distinguished gentleman, Dr. Glenn Frank. Of course, Dr. Frank is now editor of Rural Progress at a salary of \$25,000 a year, so I presume he can afford to contribute something. But Dr. Frank, it developed from the testimony, also raised a lot of the money to make up the deficit from among his own friends—and, of course, we know from the writing and actions of the doctor that he did not receive one single, solitary penny of this money from anyone who is interested in progressive legislation or in raising the standard of living for the common mass of this great Nation. He received it, no doubt, from those who control the idle pools of stagnant money now bulging the vaults of this Nation and withheld from circulation for the purpose of causing widespread destruction.

Imagine, Mr. Speaker, a nonpartisan farm magazine that has no ax to grind politically, having at its head as editor the chairman of the policy committee of the Republican Party. No ax to grind. What a joke. But editorially and in special articles Rural Progress has opposed, violently opposed, the Wheeler-Rayburn bill to regulate holding companies; it opposed the farm bills; the court-reform bill; the wage and hour bill; the reorganization bill. Yes, Mr. Speaker, nonpartisan, but it supported Governor Landon for President in 1936. Its policies are shaped by the same man who is shaping the policies of the Republican Party.

I want the farmers of the country, and of my State and district particularly, to know what kind of a magazine it is that they are getting free of charge and labeled "nonpartisan." It is not nonpartisan, Mr. Speaker, it is a Republican propaganda organ masquerading under false colors and in my opinion violating the intent of the postal laws and regulations of this Government.

There is another gigantic propaganda organization posing as a national association of manufacturers that likewise has violently opposed every reform measure recommended by the administration. Since 1934 it has been engaged in an anti-New Deal publicity program that has cost millions of dollars. This organization has camouflaged its publicity in various ways so as to deceive readers and listeners on the radio.

Now, Mr. Speaker, I submit, can any Member of this House read the story of Rural Progress and have any doubt whatsoever that these economic royalists of the Republican Party will continue to spend millions of dollars in false and malicious propaganda intended for no other purpose than to bring about defeat of Democratic Members of Congress who have been loyal to the administration. You will not find them going into the districts of those Members who have betrayed their party. No; you will find that those Members have not only the good wishes but the hearty support of these captains of industry.

Mr. Speaker, I want it strictly understood that I am an advocate of free speech and free press, but I believe that the newspapers and periodicals of this Nation that live within the rules and regulations as laid down by this Government should insist that this pernicious lying propagandizing machine be subdued and stopped. Free press in this Nation can exist and shall last just so long as they are fair and honest in their views. Certainly I fully realize that those views may be colored, that any newspaper in this Nation has a right to take sides with any political party or any political group, but I do not believe that certain millionaires and narrow-minded industrialists should be allowed to furnish money to put out a magazine under the guise that it is non-political and that the advertising is paying for the publication and then use this periodical for vicious misrepresentation in a political way. A legitimate newspaper or periodical publishes and makes a report of the owners and also of its circulation. Not so with this vicious propaganda machine op-

erated by Dr. Glenn Frank and subsidized by the narrow-minded industrialists.

Yesterday we passed a resolution to investigate un-American activities. Let me call attention to the committee that will be in charge to the fact that this un-American, unprincipled periodical and type and all others of its type and nature are lending more toward building up feeling that leads to war, the downfall of democracy. In the name of democracy, in the name of liberty, in the name of good government, let the legitimate press of this Nation save itself by exposing such movements. [Applause.]

The SPEAKER pro tempore (Mr. McGRANERY). Under special order heretofore entered, the gentleman from Alabama [Mr. PATRICK] is recognized for 10 minutes.

Mr. PATRICK. Mr. Speaker, I do not know whether the gentlemen wish to hear from a man who has been in Congress no longer than I have. Not wishing to take too many chances on that, I asked for only 10 minutes. It is interesting that I should follow the address of the gentleman from Michigan [Mr. Hook], because he spoke, in a measure, regarding the sort of thing I have in mind.

I would not make any effort to interfere with the freedom of the press if I could, neither would any first-class American. The first amendment to the Constitution of the United States guarantees that there shall be no abridging of free speech or of a free press in this country. Nobody would abridge that, and I do not want anything that I say in these few remarks to be so construed. But what I wish to discuss is merely the fact that it is difficult, when met each morning with an antidote editorial or a vaccinating headline at every coffee cup, not to feel that all this relates to the voice of the people. It is the duty of a lawmaker not to regard a part of the voice of the people as the voice of the whole people, but to consider the whole people. That is sometimes a difficult proposition, and we can be unwittingly led to believe by constant pounding away of news and editorial that which is not true is true. I believe that the press, if you take it by and large today, represents not Mr. and Mrs. America, but represents those who are better able to pay.

Of course that is not universally true, and I hope and believe that the day will come under the freedom that here exists, when the press will turn back, and I am hoping and believing there will be a day when an American John Wilkes shall appear to combat the gentlemen who are the bigwigs of and the barons behind his own kind and craft, as Wilkes and his compatriots struggled against King George, and crossed swords with the Duke of Newcastle, as was done in 1764, by those heroes who were representing the voice of England and who had to go through the very jail itself, who had to fling themselves into the teeth of the lions of the King to get the voice of the people over, until shouting against a tower of power they were able to be heard, and bring the things that were of the heart of England to such a resounding exhibition that the very Crown had to succumb before the rising tide of public sentiment and understanding. No nobler page adorns the records of the deeds of men.

That is why, fresh in the minds of Franklin, Jefferson, and the others, fresh in their minds and hearts, why the voice was heard; and when England broke off the shackles, when as William Pitt said:

This House is not representative of the people of Great Britain; it is representative of noble families, wealthy inhabitants, and foreign potentates.

William Pitt made that statement in 1762. I think that now, unfortunately, by reason of the support that it has had, the press has become the voice merely of those who compare to the noble families, the wealthy inhabitants of Pitt's England, and it is our duty as Representatives to remember that sort of thing. For this reason I come to speak to you for 10 minutes today, not on a bill, not an amendment, not on a resolution, but on a matter of the principle of law-making.

I believe it is our duty to look beneath the first thing we meet on the street, the first thing we see in the daily paper

and find and hear if we expect to be able to put our ear to the breast of humanity and hear its heart beat. If we are not able to do this we shall never be able truly to come here and vote as the true representatives of the United States of America and her people.

Here is what I mean: It may surprise some of the older Members, but it may do the older Members good to hear from us who are fresh from the people; we may give them something, you cannot tell. It may be humble and modest, but it may be something fresh. It is our duty to be each a composite person, each a common divisor, each reflecting the minds of the people in his district, voting as they would vote if they could be organized into one body. They cannot, of course. So we must each consider himself the composite individual who acts representing the voice and vote of those constituents, voting as they would vote if they could. You know as well as I that that is the only way it can be democratically done. Let me illustrate a little more fully. Once I was a teacher in a country school—had 64 pupils. Mr. Holmes' cow was across the road. We led that cow out in front of the class and had the pupils draw pictures of the cow. The pictures were all drawn on the same scale, the same position. I was telling JERRY VOORHIS, Congressman from California, about this just yesterday. When those pupils got through there was not a single good picture of that cow, but my brother and I happened to notice that five or six of the pictures all put together were pretty good. We took all the pictures to a photographer and had a composite photograph made of the whole 64, with the result that we had an amazingly good picture of a cow. An artist could scarcely have beaten it. There are 130,000,000 people in the United States of America. We here in Washington should catch their voice and vote and should be their representatives and should be able to cast that vote so that it expresses what the whole people think and feel.

It is interesting to note how history is filled with ironies. One of its greatest ironies is revealed in the press as it carries forth in America today. As a foremost and zealous move the press was made free in this land. Why a free press? Our Nation's makers knew of that long struggle for freedom in England in the middle of the eighteenth century under the foolish tyranny of King George III, when William Pitt made the statement I quoted. Injustice, high privilege, and favoritism mounted the saddle and rode wide over Britain. The people cried out. Their voice was unheard. Who could be found to bring that voice up within hearing? One agency was found. That agency was the press. John Wilkes' journal, the North Briton, led the fight. It meant defeat after defeat—trial, jail—but it stands today as a living monument to the press that fought it on through injustice, injunction, warrant, prison, in the cause of popular liberty—one of the greatest, purest, and finest achievements that adorns history's panoramic page. Franklin, Jefferson, Adams, all, had thrilled with patriotic enthusiasm as they reviewed the glorious behavior of England's press; so they hastened to place proper guaranty over its freedom.

Time marches on. Compared to the leagues behind us we are but a short march from 1764 and King George III. Yet in that short time, just across the big sea water where a new order was established with a guaranty of safety to the press, that mighty agency, under that flag of protection, is found to be the exponent of the thought and feeling and course, not of the whole people, but of the bracket that compares in America to the "noble families and wealthy individuals" Pitt spoke of in 1762. No true American objects to however much money, property, or power one may have and hold so long as it shall not interfere with or deter the happiness, opportunities, or liberty of others.

Five years ago we saw a new vision—a vision of greater freedom and opportunity. A new day and we spoke of a New Deal. A rainbow of promise spanned our sky. Work and opportunity would be properly and evenly distributed among our people in the land of Jefferson and Adams. The voice of the people would be heard and written into law. But what have we seen? This protected child has grown fat, rich, and

powerful under the guardianship of this great freedom and is shouting against the voice of the people. This is the reason I think it is a challenge to the lawmakers of America not to forget, but to read and discriminate, always to go behind and search what is going on in the hearts of Mr. and Mrs. America before a vote is cast; not to get into serenade by the first superficial sounds and activities that come before us. You know there are those in this country who have been so long on the mountain side of special opportunity, favored even by the laws of the land, that they think it is right and just and they are wedded to that idea. When something comes along for the general weal that they think tends to weaken their privileges they cry out, and truly believe, that it assails the fundamentals of the Nation. The smallest package in the world is the man who is wrapped up in himself, yet it is hard for those so constituted to conceive that.

The beloved press! The angel of the common masses against the tyranny of the Duke of Newcastle and treachery of the Earl of Bute. With it in America we find it falling under the weight or errors of its own digest poll, still with a sea of newspaper headlines floating between a people and its lawmakers. Occasionally a voice in the night, a solitary voice, can be heard, as a voice was heard in the wilderness of Judea, but with the dawn of morning comes the antidote headline and vaccinating editorial on every doorstep, at every breakfast table. It is but the voice of those better able to pay. It is not the voice of America and her people. Yet the weak and uncertain seem to mistake it for the voice of the people. Some lawmakers, leaning back, ponder. A short while back some few commenced to break ranks; and from that day a recession began, began against the most positive and rapid recovery any nation had ever known. Today it is our duty and our opportunity as lawmakers of these United States of America to step forth, disregard every tower of organized propaganda, listen closely and intelligently enough to hear the voice of America. Only then shall we know her heart and only then are we qualified and fit to make her laws. I thank you.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD, and to include a letter which I have received from the chief of one of the bureaus to the editor of the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Nebraska [Mr. BINDERUP] is recognized for 30 minutes.

Mr. BINDERUP. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VOORHIS] may precede me, as he has a special order pending today and I was under the impression that he was going to speak ahead of me.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The SPEAKER pro tempore. Under a special order of the House heretofore entered the gentleman from California [Mr. VOORHIS] is recognized for 15 minutes.

Mr. VOORHIS. Mr. Speaker, everybody talks about the importance of an increase in our production of wealth. Of course, that is right, and it is the thing we need perhaps above everything else.

Why is it we are not able to obtain an increase of production of wealth? I think that, roughly, three reasons may be given. The first one is monopoly control of prices and output; the fact that certain industries, because there is not a competitive condition existing, do not respond to an increase in consumer demand by increased output, but respond by increased prices.

The second reason I can describe with an illustration. Let us suppose there are three producers, A, B, and C, all

of whom individually would like to increase the production of their particular commodity. But producer A has no idea and no reasonable basis for knowing that if he does increase his output B and C will do likewise. Producer A, therefore, never knows whether B and C will be paying wages to people who could buy his—A's—product. Hence you have a fundamental basis for lack of confidence as between businessmen.

The third reason is, in my opinion, the one which the gentleman from Nebraska [Mr. BINDERUP] has been discussing, and this one is as fundamental as any, perhaps; namely, the chronic failure, under existing conditions, of the total volume of buying power in America to keep up with the output of wealth.

I think there are three general kinds of remedies that ought to be applied. In the first place, we have to devise legislation—and I believe that a good deal of essential work has already been done upon this proposition—which will provide machinery for a coordinated activity on the part of the Government, management, and labor in order that we may have a coordinated increase of production, so that all producers will know that if and when they increase production the same thing will happen elsewhere.

The second kind of approach I think we ought to have is the one that lies in the direction of a broadened and improved social security system in general Federal old-age pensions, in the assurance of public works employment for the unemployed. Here is a great field of necessary activity which the Government must continually engage in since it is utterly impossible to expect our free economic system unaided to provide either security or full employment. I shall endeavor to show the relation between an old-age-pension system and a sound program of public works on the one hand and certain necessary monetary reform measures on the other.

The third remedy is that of monetary reform. I am convinced that at present there is a very powerful credit monopoly which is preventing a great many small-scale businesses from starting or expanding when those small-scale businesses would like to do so. Personally, I do not believe that that credit monopoly is going to be broken up by any such simple device as empowering the R. F. C. to lend money to small business. I believe it cannot be broken except by the establishment of industrial financing banks on the part of the Government which can take care of such financing of industry as is meritorious when that financing cannot be done in any other way. As private investment tends more and more toward the purchase of Government bonds, it becomes a necessary function of Government to channel investment into essential industries.

Mr. CRAWFORD. Will the gentleman yield?

Mr. VOORHIS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Does the gentleman refer specifically to what might be termed proprietary capital?

Mr. VOORHIS. Yes.

Mr. CRAWFORD. In other words, the gentleman feels that the so-called little man who desires capital for a proprietorship operation, that might be paid back over a 10- or 20-year period, is today without a source of credit for that purpose?

Mr. VOORHIS. I do. The idea is not so much for a loan as it is for somebody who will purchase a certain amount of stock in his enterprise, enabling him perhaps to retire it over a period of time.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. VOORHIS. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. The gentleman has answered the question I wanted to ask. In the gentleman's plan for monetary expansion, he does not think it ought to be based entirely on a lending proposition, does he?

Mr. VOORHIS. No.

Mr. WHITE of Idaho. But on a quantity proposition as well, so there will be enough money with which to do business?

Mr. VOORHIS. Exactly; but I have not even got to that part of it yet. I have a bill I am going to offer today in reference to this industrial financing-banking idea.

The gentleman from Nebraska brought out that 97 percent of all the money that America uses is bank credit. We need above all things what the gentleman from Idaho has mentioned. We have to be able to maintain—not just establish, but maintain—a decent scientific relationship between the amount of actively flowing buying power in this country, on the one hand, and the productive capacity of the Nation on the other. We have not that at the present time. We have spent \$16,000,000,000 in one way or another for recovery and relief in the last few years. There are at the present time approximately \$16,000,000,000 of idle bank deposits which are supposed to be money, but which at present are not functioning as such since they lie idle in the banks. Needless to say, the bulk of these deposits are in the hands of people who do not need to spend them at the moment.

The reason we cannot proceed at once with safety to bring about that scientific relation between total active buying power and productive capacity by some such method as the payment of old-age pensions, as the bill of the gentleman from Nebraska provides, is that as soon as Government spends money into circulation there is no way of telling at present whether, when that money shows up in the private banks in the form of reserves, you are going to get a 1-for-1 expansion of bank credit or a 6-for-1 expansion of bank credit. Therefore, until we have some such device as the proposed 100-percent reserve behind demand deposits—not savings deposits but demand deposits—we will be and our Federal Reserve Board will be without any adequate means of controlling what is going to happen to that expansion of money after the Government puts it into circulation. We desire right now to have an expansion. We need an expansion in this country. We have a depression, unemployment, and all the rest. The orthodox way, according to the present system, of getting that expansion would be not to sell Government bonds, but to buy them, in order to put more money into the hands of the banks or private individuals so they might spend it. But we find that does not do any good because bank deposits do not move. We find that loans are not being made, and we are utterly dependent on the making of loans to make bank deposits actually circulate as money. So instead of doing the thing that according to the orthodox practice we should do, namely, buying bonds, we are thrown back upon doing exactly the opposite thing, namely, selling Government bonds in order to get the banks to create deposit entries for the Government which it in turn can spend.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield for a question?

Mr. VOORHIS. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Does not that condition throw the business of the country more into relying on the R. F. C. and on the collective credit of the people of the United States distributed through the R. F. C.? Does not that force the creation of a condition where the people must turn to the Government through the R. F. C. to get money which they should actually get through the banks?

Mr. VOORHIS. I believe so, but I would not limit it to R. F. C. What the situation amounts to is that the people of America are compelled to rely on an increase in Government debt in order to obtain any decent volume of actively circulating buying power.

I have secured the figures on the sources of funds of the Government lending agencies. The figures which I shall give are not exactly accurate to a million dollars, but are substantially correct. The reason they are not exactly accurate is because the whole mechanism is so complicated that to picture it would be virtually impossible in a few minutes. What I mean by that is that one Government lending agency like the R. F. C. furnishes funds to a dozen or more other agencies. Without spending a great deal of time you cannot trace these funds all the way back, but the main fact comes out that the large Government lending agencies, the R. F. C., the Federal Farm Mortgage Corporation, the Home Owners' Loan Corporation, the Housing

Authority, and the P. W. A. now either have outstanding Government guaranteed bonds or they are authorized to sell Government guaranteed bonds, or they may obtain funds from the Treasury in the form of Treasury guaranteed bonds in the amount of \$7,969,000,000, in round figures.

The second thing is that these same lending agencies either have or will have, after the Housing Authority gets its billion dollars out, which we hope it will do promptly, made advances to banks or bought the capital stock of banks, or bought farm or urban mortgages, or made secured loans of some kind or another, or made advance for various types of revenue-producing projects in the amount of \$7,686,000,000. All these advances are secured in some manner or other, and their volume for just the five agencies mentioned is nearly \$8,000,000,000.

One of the main contentions I wish to make is that the sale of those bonds in the first place, whereby the Government got deposit credits in the banks as funds to loan in making these secured loans and other types of advances, meant that the interest on the bonds that were sold in connection with these transactions were an absolute gratuity to the banking system and never should have been sold at all. As a matter of fact, the United States Government has a reserve far in excess of the reserves of the private banking system. The Government has security for these advances, and it must begin to exercise its right to make such loans without the necessity of selling bonds in order to do so. In short, if we are to meet this problem, our Government must, I believe, create credit itself and end the present monopoly of the financial system on the privilege of creating credit. Furthermore, may I point out that under present circumstances, if we are successful in our attempt to bring about a revival of business, the resulting increased attractiveness of private investment, when taken in relation to the attractiveness of Government bonds as investments, will inevitably tend to drive the price of Government bonds down and create a most serious situation, as has already been pointed out on the floor in the last few days, from the standpoint of the banks of the country.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Has the gentleman noticed that the sudden and instant dewatering of gold the other day and the simultaneous sudden increase in reserves shot the Federal-bond market up at a time when they had no bonds to sell, and this further complicates the very question the gentleman has just raised.

Mr. VOORHIS. Exactly. I should like to say a word on the dewatering of gold. What they actually did was assign \$1,400,000,000 of gold credit to the 12 Federal Reserve banks, in return for which, what did the Government get? The Government got deposits in the 12 Federal Reserve banks, which they can spend. Is not that wonderful?

We have \$1,400,000,000 which we can spend. We have deposits, and we can write checks for that amount. The Federal Reserve banks have the gold credit. If we employed that \$1,400,000,000 as a Government, a sovereign people, has a right to do, and use it as a credit base for an expansion of Government credit, look what we would have. If we expanded only in the conservative ratio that the Federal Reserve banks themselves are empowered to do, $2\frac{1}{2}$ to 1, with a 40-percent gold base, we could have our Treasury buy all the bonds of the Housing Authority, the P. W. A., and a whole lot more, up to \$3,500,000,000 worth, and the interest, which, under present circumstances, has to be paid on those bonds, would be income to the Treasury of the United States. If you really want to balance the Budget, you must think about some things like that. [Applause.]

[Here the gavel fell.]

Mr. LEAVY. Mr. Speaker, I ask unanimous consent that the gentleman from California be given 5 additional minutes.

Mr. VOORHIS. I am taking the time of the gentleman from Nebraska [Mr. BINDERUP].

Mr. BINDERUP. Mr. Speaker, I am willing to yield to the gentleman.

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from California may address the House for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. VOORHIS. I thank the gentleman.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS. Gladly.

Mr. LEAVY. Going back to this matter of the gold and the gold certificates and the physical gold that is actually deposited down here in Kentucky, will the gentleman please explain just what actually occurred when the Government, by an act of this Congress, changed the value of gold from some \$20 an ounce to \$35 an ounce, the gold itself then being the property of the Federal Reserve banks or the private banks of this country?

Mr. VOORHIS. In answer to the gentleman's question, I would like to say that I want to qualify by saying I will do the best I can to answer that question.

The things I have said here today are things that have been carefully tested by going to people I thought would disagree with me and seeing what their answer was. I may say on this proposition which I have just broached of the right of the Government to create credit for advances on secured loans, the answer usually given is that it is a perfectly sound procedure but we must not do it because it has never been done before. To which my reply is that it is the same procedure that the whole private banking system uses at the present time.

In answer to the question of the gentleman from Washington, when the Government supposedly took over gold and went off the gold standard, what we really did was this: The Government required that all gold either in private hoards or coming from mines or from abroad be delivered to the Treasury. The Treasury paid for it with checks on the Federal Reserve banks, and in turn issued actual gold certificates or else credited its gold certificate fund of the Federal Reserve banks for the full amount of the gold in order to balance the checks it had drawn. Thus it came about that the Federal Reserve banks had gold certificates issued to them in the amount of the gold. Now, when gold was devalued the value of those gold certificates, which in turn constitute a technical claim upon the gold itself was, as I understand it, likewise devalued and the Government obtained a paper profit from the transaction. Title to the gold, however, remained, technically at least, in the hands of the Federal Reserve banks.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS. I yield.

Mr. WHITE of Idaho. Is it not a fact that the mechanics of the thing works in this way: When the gold at \$26 or \$27 an ounce in the hands of the Federal Reserve was transferred in title to the United States Government, they, in turn, raised it to \$35 an ounce and returned to the Federal Reserve bank its equivalent of \$26 or \$27 an ounce in gold certificates; and did not the increment in the price of gold accrue to the Federal Government?

Mr. VOORHIS. I thank the gentleman. The Government did get that much additional amount of money to spend, but the technical title to that gold still vests in these Federal Reserve banks. Now, I would like to point out that by spending approximately \$132,000,000 to buy the capital stock of the 12 Federal Reserve banks from the member banks the United States Government would acquire a clear title to approximately \$12,000,000,000 worth of gold in the Kentucky hills, which, if used intelligently as a base for credit or for money, would constitute a sufficient base, according to even the most orthodox conception, for all the direct expansion we will need for a long time to come. I would like to say that for my part I think the gold is purely a psychological proposition, but there we have it, and we might as well use it to satisfy some people's minds.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS. I yield.

Mr. LEAVY. Assuming that situation occurred, and we did acquire the 12 Federal Reserve banks through an investment of \$132,000,000, what fault, even with the most conservative monetary critic, could be found with the issuance of legal tender to the extent of the gold certificates and the retirement of Government bonds in a like amount?

Mr. VOORHIS. I do not see how any fault could be found; and in that connection may I say the main thing we have got to have in this country is a system of money and credit, so that as America seeks to expand, as her industries seek to grow, as her children are born, it will be possible for us to have an expansion of the total active buying power of this country which will correspond to that increase in growth of American business, and we have got to be able to get it without having the American people or their Government go to the banks and borrow it into circulation in the form of bank credit. In order to do this, however, and to put us in a position to do it safely, it is essential, I believe, to have a 100-percent reserve system behind demand deposits in the banks. Probably the best way of accomplishing this is provided in the bill of the gentleman from Nebraska. I would point out, however, that by the passage of some such bill as this bill of mine, H. R. 10516, a different one from the one I spoke of before, a great deal could be accomplished at once. For this bill would empower the Treasury to directly create credit, as the banks do now, for the purchase of the bonds of a public works finance corporation, which, in turn, would finance public works of a self-liquidating nature or buy the bonds of States, counties, or municipalities to be used for public works. We would then have in the hands of Government the machinery to finance, without additional debt, worthy self-liquidating projects and secured loans for public works. The operation of this extension of credit would operate, of course, to build up the reserves in the banks, so that if the Federal Reserve Board were empowered to increase reserves, they could bring it up to a 100-percent reserve system. As a matter of fact, I should like to see the complex structure of our Government lending agencies greatly simplified, and to see them all put on the basis of operation I have just described.

There are a number of other provisions in the bill of the gentleman from Nebraska which are equally important, or more important, as a means of accomplishing this purpose. [Here the gavel fell.]

The SPEAKER pro tempore. Under previous order heretofore entered, the gentleman from Nebraska [Mr. BINDERUP] is recognized for 30 minutes.

GOVERNMENT MONETARY CONTROL

Mr. BINDERUP. Mr. Speaker, in opening my remarks today I wish first to quote from President Roosevelt's inaugural address in 1933:

Let us refuse to leave the problem of our economic welfare to be solved by the winds of chance and the hurricane of disaster, let us not admit that we cannot find a way to master economic epidemics, just as after centuries of suffering we found a way to master epidemics of disease.

And our President has made so many encouraging remarks. It was he who said:

We must drive the money changers from the temple.

And again when he said in his message to the monetary conference in London in 1933—

We are not interested in stabilizing the franc and the pound for a short time. We are only interested in a dollar with the same debt paying and purchasing power now and a generation hence.

And still, with all these and many other wonderful and encouraging statements, one cannot but wonder who are the men, the evil and powerful advisers, who are hindering and preventing the fulfillment of these righteous suggestions, which the people considered as promises. What is that strange, hidden power that prevents the fulfillment of these obligations to the people? That like the mighty Joshua of old, who said to the sun and moon, "Stand still while I destroy humanity," and they stood still; so this strange, hidden

power says to the people's Congress and to the President, "Stand still while we destroy your Nation and your people," and we stand still.

And in the darkness of the twenty-seventh depression, still not recovered from former panics and depressions, how hopeless the situation when we find that the power to whom Congress has erroneously and criminally delegated the power of monetary control, the power that makes and unmakes panics and depressions, that holds in its hand the welfare of every man, woman, and child, has so utterly failed—this power that determines for the people progress or poverty, happiness or sorrow.

Yes; I have a perfect right to accuse this power of monetary control, for they have admitted their failure both in action and in utterances. It was just recently that Chairman Marriner Eccles said—and he said it both privately and in public—that he and the Federal Reserve Board, together with the Federal Reserve banks, had intentionally, premeditatedly, and deliberately taken deflationary action which brought about this, our present depression of 1937, which is growing worse every day. He said the reason they took this action was because prices were going too high and they feared we might have inflation. Strange that they should have been possessed of this fear when just at the same time statistics showed that we had about 10,000,000 unemployed and that our laboring people were losing their homes.

With agricultural prices below the cost of production, farmers losing their farms through foreclosure, and the consuming and purchasing power of the people almost neglected, far below our American standard of living. He did admit, however, that they had overshot the mark, and that the inflation, high-price period, had become a serious recession, as we called it before it became a disastrous depression, as we have it now; thus admitting that they did not have that which our bill for Government monetary control will provide—that they did not have any control of our money.

And our Secretary of the Treasury, Mr. Henry Morgenthau, when asked recently what plan he had for overcoming this and other depressions and money panics, replied, "Well, first get labor to come down in their unreasonable demands, these bricklayers that are asking \$16 a day." And when asked what else he would suggest said, "Balance the Budget." Can anyone imagine a more complete surrender, a plan more destitute of reason? And when Mr. Morgenthau recently appeared before a Banking and Currency Committee of Congress and was asked some elementary questions with regard to the functions of money, replied that he did not understand money, which would appear to be the truth, but that he had some of his Department employees with him and they could doubtless answer for him.

CARTER GLASS, who has always been the champion of our present monetary system, said recently, according to the press, that he never believed that the Federal Reserve Banking System would ever be such a failure. And as he was packing his trunk, going home sick and discouraged, just a few weeks ago, remarked, "The country is in a state of irretrievable bankruptcy." And he should know, he could and should have added, that all this was because of the unpardonable sin of the Federal Reserve Board, of the Federal Reserve banks, his own children, whom he now disowns. And so this monetary control system, delegated by Congress and the President with power to guide the Nation in money matters, that determines the welfare of our country, have all demonstrated and said that they gave up. After all, I do not blame individuals so much, it is the system that is rotten and corrupt. It is because the international bankers are our monetary control power and that our Federal Reserve Board has no power whatsoever to control, destitute of a plan to expand our money supply, which must be expanded no less than 4 percent a year, meaning, for example, that \$1,614,000,000 new money should have been placed into circulation last year, 1937. Instead of a real governmental monetary authority, we have a system that was organized by the American Bankers' Association, a system that not

only destroys government and civilization but the banks themselves.

Mr. HILL. What we would like to know, if you make this more clear, is just what will you use for money in supplying old-age assistance and for rehabilitation of farms. Will you print more money?

Mr. BINDERUP. I thank the gentleman from Washington for this question, as perhaps I have been a little slow in coming to this important point. I always like to point to the past for examples and in explanation. In my bill for monetary control we will use for money exactly what we used a few weeks ago when we decided to desterilize the gold. You will remember that late in the evening when we decided to expand our money supply by the plan of releasing \$1,400,000,000 we had locked up in the hole down in Kentucky, we just left the gold down there, just to satisfy the superstition of some individuals who still think gold is the only real money, and sent out 12 telegrams, 1 to each of the Federal Reserve banks, just a telegram to each bank, saying, "Take credit on your books for \$116,000,000." The gold never moved out of the hole; it is still right where it was. We just used Government credit, just the same as when we sell Government bonds, we get credit on the bank's books and check against the bonds. Bonds are only receipts or evidence of Government credit; in themselves, of course, they have no value, so all our money is based on Government credit.

All the money we are now using and have been using, since we conscripted the gold is irredeemable money and it is the best money in the world. Every bill or piece of money is exchangeable in another piece of money of the same character, all based on Government credit. So we will just telegraph to each one of the 12 Federal Reserve banks, which under our bill now become Government banks, to take credit for \$134,000,000 on your books and the social-security board for your district will check on you for all the dependents in the district, for old-age pensions or social dividends.

A few years ago this might have been hard for some people to understand but as we are now using Government credit almost entirely, only going through the banks to confuse it and so the banks can get a billion dollars a year for nothing.

In order that you may know that this is a practical plan, I insert at this point letters from the following recognized and outstanding monetary authorities:

First, I wish to offer a letter by Dr. Irving Fisher, professor emeritus of economics, Yale University, from whose writings I first gleaned the plan and principles for practical monetary control, and with whose name and endorsement I am proud to have this monetary legislation associated:

NEW HAVEN, CONN., July 7, 1937.

HON. CHARLES G. BINDERUP,

House Office Building, Washington, D. C.

MY DEAR MR. BINDERUP: I am enthusiastic regarding the monetary control bill you have introduced. If this bill actually passes, it will not only be a great triumph for you but it will, I believe, do more for our country than any other legislation since the Civil War. Its fundamental virtue is that it takes away completely all private power to create and destroy money, and puts that power where it belongs and where it was intended by the Constitution.

You could not accomplish this great purpose if the bill were restricted to merely taking over the 12 Reserve banks. This is an important fact, but when proposed by itself it had little appeal to me or to anyone I talked with.

Your monetary control bill is, in my judgment, the most important piece of monetary legislation ever introduced in any legislative body, and should have a wide popular appeal. Your bill can probably be made to appeal to the President and Mr. Morgenthau as a step toward debt reduction and a great safeguard against inflation and a repetition of this great and needless depression, and doubtless will appeal to the rank and file of the small bankers.

I wish to congratulate you, and I hope your monetary control bill may have the consideration and support of Congress and the administration that I think it abundantly merits.

Very sincerely,

IRVING FISHER.

A letter from Hon. Robert L. Owen, former Senator from Oklahoma, 12 years chairman of the Committee on Banking and Currency in the Senate, author of the Federal Land Bank Act and the original Federal Reserve Banking Act, whose sound reasoning and timely warnings from the floor

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of the Senate of the United States, if heeded by the Nation's Congress, would have saved the people from the ravages of the disastrous panics of 1920 and 1929, and whose untiring efforts and religious devotion to the cause of humanity is like a beacon bright, lighting the way for a nation in darkness.

JUNE 23, 1937.

HON. CHARLES G. BINDERUP,

House of Representatives, Washington, D. C.

MY DEAR MR. BINDERUP: Accept my thanks for the copy of your monetary policy bill, which has just been read to me. Its general policy not only meets my approval, but I believe is the most important bill ever introduced in Congress, and its consequences I believe will be of more far-reaching benefit than any legislative act ever passed by any parliament in the world. It means permanent prosperity for all of our people. Of course, in committee, you may find it advisable to make some improvements upon it, but on the whole, I think it a magnificent performance, worthy of the admiration and ardent support of the American people.

I congratulate you and the country upon the intelligent zeal of those who are supporting these principles, and with all my heart I pray that it may be found acceptable by the Congress and the administration.

Very respectfully yours,

R. L. OWEN.

Endorsement of the monetary control bill of 1937 by Mr. Robert H. Hemphill, former credit manager of the Federal Reserve Bank of Atlanta, Ga., international monetary authority, and patriot, whose fearless utterances and writings have challenged monetary dictatorship and closed this avenue for financial personal gains to himself. Few men have made greater personal sacrifices.

MIAMI, FLA., July 7, 1937.

HON. C. G. BINDERUP,

House Office Building, Washington, D. C.

MY DEAR CONGRESSMAN: I believe the BINDERUP bill is the simplest and most direct route to the solution of our monetary banking problem which has yet been offered.

The preamble should be read by every adult of America. It correctly states our present situation and exposes the loose screw in our economic set-up, which is alone responsible for our periodic depressions.

Monetary subjects are usually considered complicated and difficult to understand. You know, of course, as I know, that it is not the difficulty of understanding money and its control in our economic situation which matters so much as it is the persistent refusal of our leaders and teachers to give to the subject the short time which would be necessary for them to understand.

I believe anyone of average intelligence can read the BINDERUP bill and not only understand quite well what is wrong with our system but appreciate the effectiveness of the remedies which you propose.

Something like this reform is inevitable, and I hope that it is your bill which will be enacted.

Sincerely,

ROBERT H. HEMPHILL,
Formerly Credit Manager,
Federal Reserve Bank, Atlanta, Ga.

On my recent trip to Europe to contact the outstanding authorities on monetary science, as well as officials in the larger banks, I was given every consideration and they gave me freely of their time in discussing the principles of government monetary control as contained in my bill. Of these recognized authorities, such as Professor Cassel, of Stockholm, Sweden, Professor Soddy, of Oxford, England, and many others, time does not permit me to refer to more than a few.

It was Professor Cassel who, approving of the principles as contained in my bill, but who offered some suggestions as to the mechanics which he felt would perfect the bill and make it more sound, which changes have been made, said, "Only your great America could pass a bill with such liberal principles, but," he added, "you have your great Professor Fisher of Yale University, a man whom we consider a great authority; why come to Europe when you have such a man in your own country."

Professor Soddy, in commenting on the bill had this to say: "Government monetary control, that is the principle I have advocated for a lifetime." I did not contact a single monetary authority who did not approve the principles contained in this bill, and I might add that I have a number of letters approving the bill in its entirety. It was the great

Arthur Kitson, England's great writer on monetary control, who said:

I hope I may live to see the great bill you are introducing in your country become a law and save the world from the grip of the international bankers who are destroying civilization.

That Congress may understand that my bill is entirely nonpartisan, I want to quote a great American statesman, a Republican, and I always try to quote a Republican as often as I do a Democrat, because this plan is a people's plan; it is not a Democratic partisan issue, and I want to emphasize that point. One of the greatest statesmen the Nation has had, the late James G. Blaine, on the floor of this House on February 10, 1876, said:

The money question should be approached in no spirit of partisan bitterness. Firmly attached to one political party myself, I still think there are some questions about which parties should agree never to disagree, and one of those is the essential nature of the value of the circulating medium of exchange.

I always like to go back and quote James A. Garfield, who stated that that power which controls money volume, the money of the Nation, positively is the master of all trade and industry. It is the power that determines employment and unemployment. It is the power that determines the progress of poverty, misery, or wealth of a nation.

Mr. SADOWSKI. Will the gentleman yield?

Mr. BINDERUP. I yield to the gentleman from Michigan.

Mr. SADOWSKI. While the gentleman is quoting from different ones, will he please tell us what Benjamin Franklin had to say in regard to control of money?

Mr. BINDERUP. I thank the gentleman, and I am glad to have the suggestion, because it is important. In 1773, Benjamin Franklin went to England as a representative of the British Colonies. When he arrived in England he found that the most dire distress, want, and need existed. He found the streets covered with the unemployed and that the corners were cluttered with beggars. He said to his English friend, "Why is this? What brought about this calamity, poverty, and unemployment?" Then he added that in the American Colonies there was no poverty; there were no poorhouses; that we did not need poorhouses, for we had no one to put in them; there was no unemployment. He stated that everyone was fully employed.

The people of Great Britain could not understand the situation, because they had been in the habit of emptying their penitentiaries and sending them to the Colonies. They could not imagine how, having sent their miserable poor people to the Colonies, there was anything except unemployment, misery, and want. They asked Mr. Franklin to tell them how he accounted for their prosperous conditions, and Benjamin Franklin said:

That is simple. It is only because in the Colonies we issue our own money. It is called colonial scrip, and we issue it in the proper proportion to the demand of trade and industry.

It was not very long until this information was brought to the Rothschild's bank, and they saw that here was a nation that was ready to be exploited; here was a nation that had been setting up an example, that they could issue their own money in place of the money coming through the banks. So the Rothschild Bank caused a bill to be introduced in the English Parliament which provided that no colony of England could issue their own money. They had to use English money. Consequently the Colonies were compelled to discard their scrip and mortgage themselves to the Bank of England in order to get money. For the first time in the history of the United States our money began to be based on debt.

Benjamin Franklin stated that in 1 year from that date the streets of the Colonies were filled with the unemployed; because, when England exchanged with them, she gave the Colonies only half as many units of payment in borrowed money from the Rothschild Bank as they had in scrip. In other words, their circulating medium was reduced 50 percent and everyone became unemployed. The poorhouses became filled, according to Benjamin Franklin's own statement.

Mr. Franklin went further than that. He said that this was the original cause of the Revolutionary War. In his own language:

The Colonies would gladly have borne the little tax on tea and other matters had it not been that England took away from the Colonies their money, which created unemployment and dissatisfaction.

I say again, as I have often said before, there never was a panic, a money depression, or recession that was not caused by the banks through uncontrolled plans and uncontrolled volume and velocity of money. We have often stated, and the old economists have often said, that volume of money is important. May I say that the velocity of money is just as important as is the volume of money. You have to put new money into circulation at the bottom, because that is where you need and must create your purchasing power. You cannot put it in at the top any more.

This method always was wrong and it is worse today than ever before because our people have become completely depleted of equities and can no longer bribe the money out of the big banks down to the bottom of the ladder. The banks will not loan. You now have \$15,000,000,000, according to the statement of Mr. Leo Crowley, of the F. D. I. C., in a statement before the banking association, that is lying idle in the banks now. If you put any more money in at the top it would lie with the other dormant money and that is all. So my bill provides that you put it in at the bottom and give it to the most needy as an old-age pension. This would take only a slight amendment to the social-security law. We would give every man and woman over 60 years of age who is needy \$50 a month, and this includes widows and orphans, the blind, crippled, and the invalids. We would be paying what is religiously the Nation's honor debt.

Mr. TRANSUE. Mr. Speaker, will the gentleman yield?

Mr. BINDERUP. I yield to the gentleman from Michigan.

Mr. TRANSUE. May I ask the gentleman further how you are going to do that? What I would like to know is the mechanics of how it is to be done.

Mr. BINDERUP. It takes \$1,602,000,000 to pay \$50 a month to the Nation's dependents, so I would do just as they did the other day; as I think I explained before, I would wire just enough credit to each of the 12 Federal Reserve banks and then I would say to the Social Security Board, "Check on your bank in each different district." I would put that money into circulation by telegraphing or writing or telephoning this amount of money to the 12 Federal Reserve banks.

Mr. TRANSUE. What are you going to do when the checks come back?

Mr. BINDERUP. It does not make a bit of difference when the checks come back. We have wired the credit. Consequently, every little \$50 check is charged against the credit that is established in that bank, and this closes the account. It balances the book exactly, the check and the amount of credit that was issued by the Government.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. BINDERUP. I yield to the gentleman from Washington.

Mr. HILL. What does the bank do when the check comes back? Cannot the Government do it as well as the banks?

Mr. BINDERUP. The banks do just exactly the same thing; they charge the check up against the Nation's credit. When we sell a bond to any of the banks the banks merely give us credit on their books, and when our checks come in they merely charge them against our deposit account. It is simply a bookkeeping transaction.

Mr. HILL. My point is that if the banks can do that, certainly the Federal Government could do the same thing on a large scale.

Mr. BINDERUP. I am pleased to have the gentleman's suggestion, because the Government would not be doing anything new, merely pursuing the ordinary bookkeeping plan used for years by the banks.

Mr. TRANSUE. That is the point I wanted to bring out.

Mr. BINDERUP. I thank the gentleman.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. BINDERUP. I will be pleased to yield to the gentleman in just a moment, but this is an important point that has been brought up by the gentleman from Michigan and the gentleman from Washington. It is so important because it relates to the thing that is complicated in people's minds, irredeemable money, and that is the only kind of money we want. We do not want redeemable money. Money must stay in circulation. There must be no plan to take it out of circulation unless it is done through our monetary authority. To take it out of circulation is just as simple as it is to put it into circulation. This money has to stay in circulation, this \$1,602,000,000, and more, too, in order to maintain our price level, because this amount is based on the annual growth of Uncle Sam; therefore, it and more must be kept in circulation in order to maintain a stable price level.

Mr. LEAVY rose.

Mr. BINDERUP. I should like to yield first to the gentleman from Idaho, and then I shall yield to the gentleman from Washington.

Mr. WHITE of Idaho. I am interested in the mechanics of the gentleman's plan and the control of the creation and issuance of the volume of money that you propose to put into circulation. It would have to be geared to something. Would it be an arbitrary addition to the volume of 4 percent a year, or would you gear it, as it is now, to the ability of business to borrow money and pay interest thereon?

Mr. BINDERUP. I am not doing anything about business. I want business to take care of itself. The gentleman asked me how I would gear the amount of money going into circulation. I would always know definitely that \$1,602,000,000 was needed, and rather more than that at the present time; with the growth between 1936 and 1937, it would take \$1,614,000,000.

Mr. LEAVY. Will the gentleman yield?

Mr. BINDERUP. I yield.

Mr. LEAVY. Again I want to say that I am in full sympathy with the gentleman's views and the gentleman is intelligently discussing one of the most fundamental of all problems we have before us, but, of course, our population has not been a steady growth through the years, and in recent years it has been declining, and then there are new inventions and new means of production that require an additional medium of exchange to make use of them. Is not your plan sufficiently flexible to meet those conditions as they arise, or is it a straight 4-percent annual increase of the circulating medium? Then, connected directly with that is this—I have the further question: Would not A, if he went down to the bank and borrowed \$10,000 under your plan, and then took that money after giving his note, and the next day checked out \$10,000 to his employees and so added another \$10,000 to the circulating medium?

Mr. BINDERUP. Oh, no; absolutely not.

Mr. LEAVY. Why not?

Mr. BINDERUP. Because under my plan the banker can only loan the time deposits of any bank. A bank becomes divided, really, as it is now. The Federal Reserve Board has now divided the banks into two departments, according to the checking system and the time system. So a banker becomes a broker for time deposits and the custodian of the demand deposits.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GRISWOLD, indefinitely, on account of illness.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3892. An act creating the City of Dubuque Bridge Commission and authorizing said commission and its successors to purchase and/or construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Dubuque,

Iowa, and East Dubuque, Ill.; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 6869. An act to provide for the examination and licensing of those engaging in the practice of cosmetology in the District of Columbia;

H. R. 7085. An act to regulate barbers in the District of Columbia, and for other purposes; and

H. J. Res. 647. Joint resolution to increase by \$15,000 the amount authorized to be appropriated for the observance of the anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 6869. An act to provide for the examination and licensing of those engaging in the practice of cosmetology in the District of Columbia;

H. R. 7085. An act to regulate barbers in the District of Columbia, and for other purposes; and

H. J. Res. 647. Joint resolution to increase by \$15,000 the amount authorized to be appropriated for the observance of the anniversary of the adoption of the Ordinance of 1787 and the settlement of the Northwest Territory.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 33 minutes p. m.) the House, pursuant to its previous order, adjourned until Tuesday, May 31, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, May 31, 1938. Business to be considered: Hearing on H. R. 10127, railroad unemployment insurance.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m. Tuesday, May 31, 1938. Business to be considered: Hearings on H. R. 10620, entitled "To remove existing reductions in compensation for transportation of Government property and troops incident to railroad land grants."

COMMITTEE ON THE JUDICIARY

There will be a hearing before the Special Subcommittee on Bankruptcy of the Committee on the Judiciary at 10 a. m. on Wednesday, June 1, 1938, on H. R. 10387, to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto, and for other purposes (sec. 77, relative to railroad reorganization). The hearing will be held in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1390. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of San Antonio and Chino Creeks, Calif., authorized by the Flood Control Act approved August 26, 1937 (H. Doc. No. 688); to the Committee on Flood Control and ordered to be printed, with an illustration.

1391. A letter from The National Archives, transmitting a list of motion-picture films, consisting of 17 items, heretofore transferred to The National Archives by the Department of the Treasury, which are to be destroyed with proper authority; to the Committee on the Disposition of Executive Papers.

1392. A letter from The National Archives, transmitting a list of papers, consisting of one item, among the archives and records of the Social Security Board, which the Board has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1393. A letter from The National Archives, transmitting a list of papers, consisting of one item, among the archives and records of the Civilian Conservation Corps, which the agency has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1394. A letter from The National Archives, transmitting a list of papers, consisting of 69 items, among the archives and records of the Department of Agriculture, which the Department recommends should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1395. A letter from The National Archives, transmitting a list of papers, consisting of 538 items, among the archives and records of the Department of Agriculture, which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1396. A letter from The National Archives, transmitting three items among the records and archives of the Department of the Interior which the Department has recommended should be destroyed or otherwise disposed of; to the Committee on the Disposition of Executive Papers.

1397. A letter from the International Exposition of Paris, transmitting a report covering participation of the Government of the United States in the International Exposition of Paris, 1937; to the Committee on Foreign Affairs.

1398. A letter from the Acting Secretary of the Navy, transmitting a draft of a bill to authorize Lt. Col. James Roosevelt, United States Marine Corps Reserve, to accept such decoration as has been tendered him by the Dominican Republic; to the Committee on Naval Affairs.

1399. A letter from the Acting Secretary of the Navy, transmitting a draft of a bill to amend section 302 of the Tariff Act of 1930 (46 Stat. 686), so as to exempt Guam and American Samoa from internal-revenue taxes; to the Committee on Ways and Means.

1400. A letter from the Secretary of Labor transmitting a proposed draft of a bill to require reports to the Department of Labor by contractors and subcontractors on public buildings and public works concerning employment, wages, and value of materials, and for other purposes; to the Committee on Labor.

1401. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated May 18, 1938, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Merrimack River, Mass. and N. H., authorized by the Flood Control Act approved June 22, 1936 (H. Doc. No. 689), to the Committee on Flood Control and ordered to be printed, with two illustrations.

1402. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 16, 1938, submitting a report, together with accompanying papers and an illustration on reexamination of Terry Creek and Back River, Ga., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 8, 1938 (H. Doc. No. 690), to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1403. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 18, 1938, submitting a report, together with accompanying papers and an illustration on reexamination of New River Inlet, N. C., requested by resolution of the Committee on Rivers and Harbors, House of Representatives,

adopted June 18, 1937 (H. Doc. No. 691), to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1404. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 17, 1938, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Westport River, Mass., authorized by the River and Harbor Act approved August 30, 1935 (H. Doc. No. 692), to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

1405. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 17, 1938, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of, and review of reports on, Belhaven Harbor, N. C., authorized by the River and Harbor Act approved August 26, 1937, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted June 24, 1937 (H. Doc. No. 693), to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

1406. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated May 17, 1938, submitting a report, together with accompanying papers and an illustration on reexamination of Roanoke River, N. C., from the mouth thereof to Weldon, N. C., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 24, 1936 (H. Doc. No. 694), to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DEROUEN: Committee on the Public Lands. H. R. 9875. A bill to revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes; with amendment (Rept. No. 2511). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSAY: Committee on the Judiciary. S. 3166. An act to amend section 2139 of the Revised Statutes as amended; without amendment (Rept. No. 2512). Referred to the House Calendar.

Mr. LAMBETH: Committee on Printing. H. R. 10772. A bill to amend certain sections of the act entitled "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, as amended; without amendment (Rept. No. 2513). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. H. R. 10462. A bill to amend the act entitled "An act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers," approved February 25, 1929, as amended; with amendment (Rept. No. 2514). Referred to the Committee of the Whole House on the state of the Union.

Mr. MURDOCK of Arizona: Committee on Irrigation and Reclamation. H. R. 10488. A bill to provide for allowing to the Gem irrigation district and Ontario-Nyssa irrigation district of the Owyhee project terms and payment dates for charges deferred under the reclamation moratorium acts similar to those applicable to the deferred construction charges of other projects under said acts, and for other purposes; with amendment (Rept. No. 2516). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RAMSPECK: Committee on Claims. H. R. 1768. A bill for the relief of Olin J. Salley; with amendment (Rept. No. 2499). Referred to the Committee of the Whole House.

Mr. ATKINSON: Committee on Claims. H. R. 5777. A bill for the relief of Capt. Francis H. S. McKeon; with amendment (Rept. No. 2500). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 7144. A bill for the relief of the Curtiss Aeroplane & Motor Co., Inc.; with amendment (Rept. No. 2501). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 7170. A bill for the relief of Hyman Ginsberg; with amendment (Rept. No. 2502). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 7485. A bill for the relief of Emmett Lee Payne; with amendment (Rept. No. 2503). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 7636. A bill for the relief of Olympio Medina; with amendment (Rept. No. 2504). Referred to the Committee of the Whole House.

Mr. DREW of Pennsylvania: Committee on Claims. H. R. 8199. A bill for the relief of Mrs. Olive Fletcher Conklin; with amendment (Rept. No. 2505). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9133. A bill for the relief of William Monroe; with amendment (Rept. No. 2506). Referred to the Committee of the Whole House.

Mr. ATKINSON: Committee on Claims. S. 824. An act for the relief of Sam Kimzey; with amendment (Rept. No. 2507). Referred to the Committee of the Whole House.

Mr. RYAN: Committee on Claims. S. 2505. An act for the relief of James J. Hogan; with amendment (Rept. No. 2508). Referred to the Committee of the Whole House.

Mr. TURNER: Committee on Military Affairs. H. R. 6805. A bill for the relief of William Moseley; without amendment (Rept. No. 2515). Referred to the Committee of the whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LAMBETH: A bill (H. R. 10772) to amend certain sections of the act entitled "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, as amended; to the Committee on Printing.

By Mr. O'LEARY: A bill (H. R. 10773) to provide for a 48-hour week; to the Committee on Merchant Marine and Fisheries.

By Mr. GAMBRILL of Maryland: A bill (H. R. 10774) to give double credit for civil-service retirement purposes for certain periods of service in the military or naval forces of the United States outside the continental United States; to the Committee on the Civil Service.

By Mr. CASE of South Dakota: A bill (H. R. 10775) to transfer certain buffalo to the Pine Ridge Sioux Tribe of Indians in the State of South Dakota, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 10776) to provide for the welfare and self-determination of the Sioux Indians of South Dakota, and for other purposes; to the Committee on Indian Affairs.

By Mr. BUCKLER of Minnesota: A bill (H. R. 10777) authorizing the village of Baudette, State of Minnesota, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at or near Baudette, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. SUMNERS of Texas: A bill (H. R. 10778) to limit the authority of circuit judges to hold district courts and of district judges to sit in circuit courts of appeal; to the Committee on the Judiciary.

By Mr. JONES: A bill (H. R. 10779) to promote farm ownership by amending the Bankhead-Jones Farm Tenant Act to provide for Government-insured loans to farmers; to encourage sale of farms held by absentee owners to farm tenants; and to enable tenant farmers to become owners of

farm homes through long-term low-interest-rate loans on farms; and for other purposes; to the Committee on Agriculture.

By Mr. COFFEE of Washington: A bill (H. R. 10780) to amend section 1 of an act entitled "An act granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as The Narrows," and to extend the times for commencing and completing the construction of such bridge; to the Committee on Interstate and Foreign Commerce.

By Mr. MITCHELL of Tennessee: A bill (H. R. 10781) to amend an act entitled "An act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909" (35 Stat. L. 1134), and an act which is an amendment thereto, approved March 4, 1921, amending sections 232, 233, 234, 235, and 236 of such act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909, which supplementary amending act was approved March 4, 1921, by amending section 233; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN: Resolution (H. Res. 508) authorizing the printing of information, concerning Federal benefits available to veterans and their dependents, as a document; to the Committee on Printing.

By Mr. O'CONNOR of New York: Resolution (H. Res. 509) providing for the suspension of rules for the remainder of the third session of the Seventy-fifth Congress; to the Committee on Rules.

By Mr. DIES: Resolution (H. Res. 510) to authorize the payment of expenses of investigation authorized by House Resolution 282; to the Committee on Accounts.

By Mr. HILL: Resolution (H. Res. 511) amending clause 41 of rule X of the House of Representatives; to the Committee on Rules.

By Mr. JONES: Joint resolution (H. J. Res. 701) to create a joint congressional committee to investigate the adequacy and use of the phosphate resources of the United States; to the Committee on Rules.

By Mr. BLOOM: Joint resolution (H. J. Res. 702) to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United States during the calendar year 1939, and to authorize an appropriation to assist in meeting the expenses of the session; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PACE: A bill (H. R. 10782) for the relief of Elbert R. Miller; to the Committee on World War Veterans' Legislation.

By Mr. QUINN: A bill (H. R. 10783) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Sigfried Speyer; to the Committee on the District of Columbia.

By Mr. SHAFER of Michigan: A bill (H. R. 10784) granting a pension to Sylvia Campbell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5247. By Mr. BLOOM: Petition of the Senate of the State of New York, urging that the Hamilton Avenue-Governor's Island Battery vehicular-tunnel project be included in the Federal public-works program now being formulated by the Federal Government, and the Secretary of the Interior of the United States and all other public officials and duly constituted bodies, having control of all or part of such public-works program, take appropriate action to include such tunnel project therein; to the Committee on Ways and Means.

5248. By Mr. KENNEDY of New York: Petition of the Screen Actors Guild, Inc., of Hollywood, Calif., concerning Senate bill 153; to the Committee on Interstate and Foreign Commerce.

5249. Also, petition of the Columbia Pictures Corporation of Hollywood, Calif., concerning the Neely-Pettengill bill; to the Committee on Interstate and Foreign Commerce.

SENATE

SATURDAY, MAY 28, 1938

(Legislative day of Wednesday, April 20, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Friday, May, 27, 1938, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Copeland	Hughes	O'Mahoney
Andrews	Davis	Johnson, Calif.	Overton
Austin	Dieterich	Johnson, Colo.	Pepper
Bailey	Donahay	King	Pope
Bankhead	Duffy	La Follette	Radcliffe
Barkley	Ellender	Lee	Russell
Bilbo	Frazier	Lewis	Schwartz
Bone	George	Lodge	Schwellenbach
Borah	Gerry	Logan	Sheppard
Brown, Mich.	Gibson	Loneragan	Shipstead
Brown, N. H.	Glass	Lundeen	Thomas, Okla.
Bulkeley	Green	Maloney	Thomas, Utah
Bulow	Guffey	McAdoo	Townsend
Burke	Hale	McCarran	Truman
Byrd	Harrison	McGill	Tydings
Byrnes	Hatch	McKellar	Vandenberg
Capper	Hayden	McNary	Van Nuys
Caraway	Herring	Miller	Walsh
Chavez	Hill	Minton	Wheeler
Clark	Hitchcock	Murray	White
Connally	Holt	Norris	

Mr. LEWIS. I announce that the Senator from Arizona [Mr. ASHURST], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Oregon [Mr. REAMES] are detained from the Senate because of illness.

The Senator from Tennessee [Mr. BERRY], the Senator from Iowa [Mr. GILLETTE], the Senator from New Jersey [Mr. MILTON], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Nevada [Mr. PITTMAN], the Senator from North Carolina [Mr. REYNOLDS], the Senator from South Carolina [Mr. SMITH], and the Senator from New York [Mr. WAGNER] are detained on important public business.

Mr. McNARY. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because the death of his wife.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1307. An act for the relief of W. F. Lueders;

S. 3092. An act for the relief of the Georgia Marble Co.; and

S. 3522. An act authorizing the President to present the Distinguished Service Medal to Rear Admiral Reginald Vesey Holt, British Navy, and to Capt. George Eric Maxie O'Donnell, British Navy, and the Navy Cross to Vice Admiral Lewis Gonne Eyre Crabbe, British Navy, and to Lt. Comdr. Harry Douglas Barlow, British Navy.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1585. An act for the relief of Sallie S. Twilley;

S. 2417. An act for the relief of Samuel L. Dwyer; and

S. 3113. An act for the relief of the Congress Construction Co.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 599. An act for the relief of W. J. Steckel;

H. R. 733. An act for the relief of George E. Titter;

H. R. 736. An act for the relief of Mallery Toy;

H. R. 858. An act for the relief of the estate of Dr. David O. Clements, deceased;

H. R. 1141. An act for the relief of J. W. Beams;

H. R. 1744. An act for the relief of Grant H. Pearson, G. W. Pearson, John C. Rumohr, and Wallace Anderson;

H. R. 1861. An act for the relief of the firm of Schmidt, Garden & Martin, architects, of Chicago, Ill.;

H. R. 2149. An act for the relief of Capt. Guy L. Hartman;

H. R. 2487. An act for the relief of Thomas J. Allen, Jr.;

H. R. 2650. An act for the relief of Veracunda O'Brien Allen;

H. R. 3225. An act for the relief of Roland Stafford;

H. R. 3655. An act for the relief of Clarence D. Schiffman;

H. R. 3747. An act for the relief of George O. Wills;

H. R. 4232. An act for the relief of Barber-Hoppen Corporation;

H. R. 4260. An act for the relief of C. J. Murrill;

H. R. 4830. An act for the relief of Mrs. D. O. Benson;

H. R. 4864. An act for the relief of Helen Rauch and Max Rauch;

H. R. 4941. An act for the relief of Rogowski Bros.;

H. R. 5597. An act for the relief of Luigi Mazza;

H. R. 5615. An act for the relief of Capt. B. B. Barbee;

H. R. 6081. An act for the relief of Edward Malm;

H. R. 6186. An act for the relief of Moses Red Bird;

H. R. 6296. An act for the relief of Dr. A. C. Antony and others;

H. R. 6306. An act to authorize the cancelation of deportation proceedings in the case of Henrietta Vendemmia;

H. R. 6327. An act for the relief of Edward J. Thompson;

H. R. 6374. An act for the relief of Lena R. Burnett;

H. R. 6461. An act for the relief of William F. Bourland;

H. R. 6508. An act for the relief of Gladys Legrow;

H. R. 6710. An act conferring jurisdiction upon the United States District Court for the Eastern District of Louisiana to hear, determine, and render judgment upon the claims of Anna Lee Hebert and Mrs. Nicholas Hebert;

H. R. 6713. An act for the relief of Genesee Brewing Co., Inc.;

H. R. 6842. An act for the relief of Frank M. Schmitt, Antonio Salas, Victoria Griego, and Victor Coco;

H. R. 6994. An act for the relief of Alfonso Luigi Targlione;

H. R. 7012. An act for the relief of J. Anse Little;

H. R. 7039. An act for the relief of Paul Hirschmann;

H. R. 7119. An act for the relief of Victoria Maghee;

H. R. 7168. An act for the relief of Louis Samolski, Rebecca Samolski, and Martin Samolski;

H. R. 7297. An act for the relief of Gordon L. Cheasley;

H. R. 7344. An act for the relief of Eddie Walker;

H. R. 7357. An act for the relief of Giovanni Raffa;

H. R. 7429. An act for the relief of Muriel C. Young;

H. R. 7460. An act for the relief of Mr. and Mrs. Roy Blessing;

H. R. 7659. An act to authorize the cancelation of deportation proceedings in the case of Jacob Tabah, wife Esther, and daughters Bertha, Dora, Rosa, and Angela;

H. R. 7761. An act for the relief of Sibbald Smith;

H. R. 7793. An act for the relief of Nicholas de Lipski;

H. R. 7817. An act for the relief of C. G. Bretting Manufacturing Co.;